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# METHODISM AND SLAVERY:

WITH OTHER MATTERS IN

# CONTROVERSY BETWEEN THE NORTH AND THE SOUTH;

BEING A

# REVIEW

OF THE

# MANIFESTO OF THE MAJORITY,

IN REPLY TO

THE PROTEST OF THE MINORITY, OF THE LATE GENERAL CONFERENCE OF THE METHODIST E. CHURCH, IN THE CASE OF BISHOP ANDREW.

BY H. B. BASCOM, D. D.
PRESIDENT OF TRANSYLVANIA UNIVERSITY.

"The unjust Judge is the capital remover of land-marks." LORD BACON.

"There is no medium between the power of the *Law* and the arbitrary power of men; and the arbitrary power of men, in whatever form, is *despotism*" BAXTER.

"An authentic kind of falsehood, that with authority belies our good name, to all nations and posterity. ..... If the substantial subject be well forged out, we need not examine the sparks, which irregularly fly from it." SIR THOMAS MOORE.

FRANKFORT, KY.
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# REVIEW, &c.

The more ostensible merits of the controversy, in the case of *Bishop Andrew*, have received a degree of publicity, through the medium of the Press, which seems to supercede the necessity of any great extent or minuteness of preliminary statement, in order to approach the subject fairly and without disadvantage, in an attempt to understand it and estimate its merits, whether as it regards the parties in controversy, or the Church at large. All the material facts and principles, involved in the controversy, pro and con, stand out with sufficient prominence, in the Protest of the Minority and Reply of the Majority; and the facts and reasonings, or rather assumptions and conclusions of these Documents, may be considered, as furnishing *the proper issue* between the parties, and the true text of the discussion, upon which we enter. And as the subject of separation, as it regards the North and South of the Methodist Episcopal Church, turns mainly, upon the question of slavery, not as connected with the case of Bishop Andrew, but in its broader and more general aspects, I shall principally confine myself to the appropriate topics, indicated by such limitation. Appeal to other matters, such as the proceedings in the case of Bishop Andrew, and kindred developements, will be resorted to by the way, as legitimate methods of proof and illustration, in relation to the facts and principles involved in the discussion. Believing that a careful analysis of the whole movement, on the part of the late General Conference, in the case of Bishop Andrew, will show that the assault upon him, was but a masked battery, intended to conceal the real point and object of attack, I shall rely less upon the extra-legal proceedings in his case, than upon other aspects and relations, in which the subject presents itself. In the instance of the struggle alluded to, it was obviously, on the part of the North, a contest to *settle a principle* unknown to the constitution and laws of the Church, and the case of Bishop Andrew was made the occasion and pretext, to bring the matter to trial. The prosecution of Bishop Andrew was a moot case, the determination of which, not according to law, but in the chancery of party tactics, was to lead to the ulterior results of additional legislative action, on the subject of slavery. The whole course of the majority shows clearly, that they did not consider Bishop Andrew's connection with slavery, as an offence in the judgment of law, but as something that ought to be an offence. They thought it fit to constitute an offence, and labored long and hard to accomplish it. It was an extra-legal movement, to accomplish a purpose unknown to the law, and an act, therefore, the manner of which was as unlawful as the matter. It was seen and felt, that no statutable process could be sustained against the Bishop, and hence a resort to *expost facto* legislation, and by consequence, an invasion of constitutional right. In the case of Bishop Andrew, we have a judicial sentence, in the shape of a declaratory judgment, based not upon law, but upon opinion over-riding law—the "*sense*" of the General Conference, as to what law ought to be—as to what must become law, before the North will cease to agitate the subject of slavery, and add to existing encroachments, upon the rights and peace of the South. The authority of the General Conference to enquire into the conduct of Bishop Andrew, and deal with him according to law and rule, no one questions; it was the undoubted right of the Conference. But

when a lawful authority, proceeds to unlawful demands or action, and by means equally unknown to law and usage, the claim of authority, by the trespass upon right, is vitiated, and the procedure becomes null and void; and this we conceive to have been the case in the instance of Bishop Andrew. Not only was Bishop Andrew arraigned, but under the hallucination of the absolutism of the General Conference, the law itself was arraigned, and *apart* from its arbitrament, the judgment of a majority became the only rule of action and standard of right. We propose an examination of the subject, having for its object, a simple statement of the reasons and facts, which compelled the South to assume the position and take the stand they did, with regard to a separation of the general or federal jurisdiction of the Church, in order to avoid the more serious evil of utter division and disunion, throughout the whole Church. We may have conceived of the case too strongly, and whether right or wrong, in our convictions, it seems proper that our conduct and the motives by which we were actuated, should be presented in their true light. As distinguished northern men, are as far from agreeing among themselves, as the North and the South are, with regard to the real character of their own action, we ought certainly to be judged, with some share of the indulgence, currently reciprocated among the sub-divisions of the Northern party. Drs. Durbin, Peck, and Elliott, in the Reply to the Protest, say the action in Bishop Andrew's case, was no trial—was not judicial in any sense—was not intended or thought of as a trial. Dr. Bond and others, say this is all a mistake—an utter misconception of the facts. They assure the Church and the world, that it *was a trial*, and exhibits all the essential elements of judicial action. A third party make it a mere executive "regulation." The Protest, written before the light of these contradictions had been shed upon the South, assumes, that to charge with delinquency and institute enquiry, is a judicial process, inasmuch as there is the implication of jurisdiction, law, responsibility, and judgment, and regards the procedure as extra-judicial, because the whole invoice of grievances, was unknown to existing law—designed to regulate the whole subject matter of complaint. The Protest was presented with the full conviction, that under semblance of conformity to the constitution and law, an unlawful use had been made of both, to accomplish what was not contemplated by either. The General Conference of 1836 say, in their official address, in allusion to the subject in question, "every man should be presumed to be innocent, until proved guilty, before some competent tribunal." Of what was Bishop Andrew found guilty, and in view of what law? The only law which could possibly be invoked with any semblance of justice, was known to protect him, and yet party opinion triumphs over law and justice, and like the irresolute Pilate, they first declare him innocent, and then, arraying the act against their own decision, they proceed to scourge him. In comparing the law and the conduct of Bishop Andrew, we can find no adequate cause for the action in his case. We believe the real cause lies deeper and dates farther back. Why was law declined, and opinion, and Northern and foreign popular feeling appealed to, against Bishop Andrew? Having a law on slavery, even the non-prohibition of the act charged as an offence, rendered it lawful, apart from the fact, that express provision of law covered the case. The Discipline expressly provides, that where circumstances remove a case from within the province of the general principle, no individual shall suffer from any application of the law. In Bishop Andrew's case, that which the law excepts in terms, is made the sum of his offence. What the law declines exacting, and actually dispenses with, is made the sum of duty. We would not arraign motive, and can readily conceive how passion may be excited into sentiment, and aversion roused into activity, leading to the most unhappy results, while the actors are unconscious of the real character of their own course of action, or

the evils they inflict. It did seem to us, at the time, and subsequent events have been but too well calculated to confirm the impression, that hostility to the South was the moral type of the whole movement, and that it was intended to teach us that a *Northern* altar must hereafter sanctify the gifts of the Church. The majority could not consider the conduct of Bishop Andrew as *morally* wrong, for they not only allow, but expressly authorize it, in the case of his scriptural Peers—the Eldership, or College of Presbyters. They could not regard his conduct as *officially* wrong, for they publish to the world, that there is neither prohibition nor requirement, connected with the office, in the shape of law, and hence infer, that the *lex non scripta* of Northern prejudice, on the subject of slavery, must be the standard of judgment, and constitute the tenure, by which Bishops of the Methodist Episcopal Church, are hereafter to hold office.

But further: the abstract principles and favorite dogmas of abolitionism, in the Methodist Episcopal Church, had had their day of disturbing notoriety, and were regarded by the South, as nearly defunct, until quickened into activity and dramatized, by the anti-slavery party of the late General Conference. It was the conviction of the South, that this party, dissatisfied with the conservative principles upon which they had formerly acted, found themselves, as a body, without principles upon which they could act as they wished, and it became necessary that they should adopt new ones. It is not assumed, that there was any formal coalition between the Abolition and anti-slavery parties; it is believed that this was not the case. But there was, at the same time, a mingling of parties for specific action—to accomplish given purposes, in which the parties were deeply if not equally interested. The policy and movements of the old conservative party, while in a state of preparation for action, during the early part of the Conference, seem to have performed the functions of a kind of Lazaretto, at which abolitionism did brief quarantine, and was then accredited as ancient Methodism, at least for the time, and so far as the case of Bishop Andrew was concerned. There was at least a spasm of harmony, during which the parties were one in aim and action. Both united in declaring *that* an offence which violated no law of God or man, and was recognized by both as consistent with christian and ministerial character. Each was prompt in claiming for the General Conference absolute control over both the formation and the execution of law. They acted together in asserting the claim of jurisdiction *pro salute animæ*, without license of law or sanction of precedent. They clung together and fought for the same results, under every change of colour, until their purpose was accomplished. They united in requiring Bishop Andrew to do what the law of the Church did not exact, and the laws of the State in which he resided, expressly forbid—in other words, they agreed to punish the Bishop for *doing* what the law of the Church allowed, and for *not* doing what the law of the State prohibited. We bespeak the patience and candor of the reader. The freedom, and it may be thought boldness of censure, in these brief preliminary statements, cannot be judged of fairly, except in connection with *the facts and evidence*, we submit, in support of their truth, and in vindication of the course and policy of the South, in the premises of this unhappy controversy.

Intending an examination of all the principal topics in controversy between the North and South of the Methodist Episcopal Church, no particular analysis, either of the Protest or the Reply, is deemed necessary, except as we proceed in order, to a review of the whole ground occupied by both.

The first general topic claiming attention, is the *compromise character of the general law of slavery* in the Methodidist Episcopal Church; its assumption by the South in their Protest, and its denial by the North, in their Rejoinder. To prevent misapprehen-

sion, it may be well to state here, and once for all, that the term compromise is used in the Protest, in its most ordinary popular acceptation, in connection with legislation, to denote a mutual agreement to adjust difficulties, in the shape of a legal arrangement —some general rule or law, upon the grounds of mutual concession and forbearance, by the parties legislating, acting as the authorized representatives of the more primary parties, immediately interested. Before proceeding, however, I must ask to be indulged, while I offer some preliminary views and statements, with reference to the general subject, and my connection with it, without which I cannot be properly understood, either by my friends or enemies. Involved in this controversy somewhat prominently, by the force of circumstances, rather than any voluntary agency of my own, I am anxious to place it in the power of both my friends and enemies, to judge me fairly, and beyond this, I have nothing to *invoke or deprecate* with regard to either. At the first session of the Ohio Conference, after the division of the old Pioneer Western Conference, I saw and heard, for the first time, that extraordinary man, Bishop Asbury, who, in an elaborate address to the Conference, on the affairs of the Church, glanced at the then recent session of the first Delegated General Conference, May, 1812, and spoke of the advantages likely to result, and enlarging upon the various interests of the Church, East, West, North and South, he remarked, that in all these sections the Methodists were *one*—every where the same people; and added, that at one time he and his venerable colleague, Dr. Coke, had greatly feared, that in this country, slavery in the South, and the opposition to it in the North, would *divide the Church;* but he warmly congratulated the Conference, that the evil they had dreaded, had passed away; that the North and South, in the General and Annual Conferences, had, by mutual concession and forbearance, settled down upon *common ground*, and had agreed to be governed by law —the Discipline of the Church, in all they said or did on this dangerous and exciting subject. "Do this," said he, in tones of commanding but affectionate authority, "and you will save the master and slave, the bond and the free, the North and the South." The impression I received from listening to this address, was strengthened and rendered indelible by a private discussion, to which I listened, during the same Conference, in which some young preachers maintained, in opposition to Bishop Asbury, that slavery in every shape, and all slave holders, should be banished from the Church; and the great and good Samuel Parker advocated the necessity of a *compromise course*, and defended the views of Bishop Asbury, in his address. Apart from my distinct recollection of these facts, I kept a kind of journal record at the time, of nearly every thing that interested me, and in view of both, I make this statement, as substantially correct. Before this I had vaguely regarded slavery, in all its possible forms, as a foul blot upon the Christian name, and the remarks of Bishop Asbury, and the arguments of Parker, gave me the first distinct impression—led me to the first rational enlarged view of the subject of slavery, in relation to the Methodist Episcopal Church, I had ever entertained, and will remain with me to the close of life. Three years after, at the fourth session of the Ohio Conference, Sept. 1815, I heard Bishop Asbury preach the funeral sermon of Dr. Coke, and in enlarging upon the Apostolic zeal and extensive usefulness of the Doctor, as an "American Methodist Bishop," he alluded to the manner in which the Doctor's usefulness had been "curtailed in the South," in his own phrase, by his imprudent zeal and movements in reference to slavery. "We thought," said the Bishop, "we could kill the monster at once, but *the laws and the people* were against us, and we had to compromise the matter, or lose the South." I cannot pretend to give entire the precise language of the Bishop, but such was the substance—the plain import of what he said; and connected as it was, with what I had heard him say before, I could not forget it,

especially as my admiration of the man, amounted to almost idolatrous veneration. I was perhaps the more struck with the Bishop's remarks, as I had that year been preacher in charge of a circuit in Virginia, where the subject had necessarily engaged my attention. There are those living, who know that the recollection of such incidents would be likely to be indelible with me, from the fact, that at this Conference, but for the stern interposition of Bishop Asbury, my unimportant career as a Methodist traveling preacher, would probably have terminated. Crushed by what I regarded (right or wrong) as the unfeeling scrutiny of the Conference, I had addressed a letter of withdrawal to the Conference, through my friend Rev. David Young, upon the reading of which, Bishop Asbury said: "Give that poor boy to me, I'll take him and be responsible." Bishop Asbury thus became my friend and protector, at a time when I greatly needed both; and let no one be surprised that I treasured up and preserved, what others, differently circumstanced, may have forgotten. After traveling nearly four years in the Ohio Conference, I was, in the autumn of 1816, transferred to the Tennessee Conference, of which I was a member until 1821. During this whole period, a fierce controversy was raging in that Conference, on the subject of slavery and abolition, the Abolitionists having a decided majority. The course and practice of the majority, went to settle the principle, that no slave holder, whatever might be the law of the State, in the case, or his claims in other respects, should be received into the traveling connexion, and no preacher, traveling or local, admitted to ordination, until he had first *in fact* emancipated his slaves. The minority contended that such a course was inconsistent with, and in violation of, the rights long secured to slave holders, in States where emancipation was impracticable. The struggle was long and bitter, continuing from year to year, and at the Tennessee Conference in 1819, the minority, acting under the advice of Bishops McKendree and George, *protested* against the course of the majority, and appealed to the General Conference of 1820. Upon the presentation of the Protest in Conference, Bishop McKendree presiding, admitted it to record, against the declared will of the majority, and took occasion to address the Conference at great length, on the course of the majority, and the subject of slavery in general; and as the interference of the Conference with the subject, had excited no little distrust and jealousy in the public mind, Bishop McKendree requested that he might be heard by some of the most influential citizens of Nashville, in which the Conference sat; and at his request, I introduced into the Conference the Honorable Felix Grundy and Oliver B. Hays, Esq., who listened to the address of Bishop McKendree with intense interest, and declared to the Conference, that according to the address, the law of the Church was not, as they had been led to suppose, in conflict with the laws of the State.

In this address, Bishop McKendree glanced briefly, but clearly at the whole range of the legislation of the Church, on the subject of slavery, and took great pains to show that while the Church sought to remove the evil of slavery, from within its own limits, where it could be done consistently with the laws and welfare of society, it did not, in any instance, abridge the rights of ministers or people, where law and the conventional understanding and interests of society pursuant to them, rendered emancipation impracticable. He reviewed, in a summary way, the various and often conflicting regulations of the Church respecting slavery, from the early days of Asbury and Coke, down to that period, and showed that the apparent inconsistency, on the part of the Church, was owing to alternate party ascendency, as it regarded the North and the South. His whole address went to show, and he repeatedly affirmed it, that the question was one that could only be managed by concession of parties, and that the existing laws of the Church, were the result of such mutual concession, and that at the General Conference

of 1808, they had solemnly agreed to let the subject alone, in General Conference, and allow the annual Conferences to regulate the matter within their own limits. He stated he had hoped that this act of compromise, with others, and the final action in 1816, would save the Church from any serious trouble, but he saw it would not, and declared his purpose to propose to the next General Conference, to deprive the annual Conferences of the power given them in 1808, and to establish one uniform law to govern the whole Church. Accordingly, he and Bishop George, privately advised the minority of the Tennessee Conference, to memorialize the General Conference to that effect. Bishop George addressed the Conference, approving the views of Bishop McKendree, and assuring us, he should concur with him in reporting the unauthorized proceedings of the Tennessee Conference, and in asking the General Conference to repeal the law of 1808.

The Memorial of the minority, praying the repeal of this law, as advised by the Bishops, together with their representations, led to a discussion in the General Conference of 1820, which resulted in the repeal prayed for. In the final conflict between the majority and minority of the Tennessee Conference, on this subject, the venerable *Philip Bruce* took an active part, and fully and most unequivocally sustained the views of the Bishops and the minority, and addressing the Conference, by request, as a living witness in the principal transactions alluded to, he was even more minute and exact than Bishop McKendree, in showing that the whole legislation of the Church had been in the spirit and form of compromise, and that if this compromise was departed from, *Methodism must die in the South.* The same view of the subject was avowed and advocated by the never-to-be-forgotten *Valentine Cooke*, who was present, and called upon for his opinions and testimony.

*Barnabas McHenry*, of whom I once heard Bishop McKendree say, if he were allowed to choose his successor, as senior Bishop of the Methodist Episcopal Church, *McHenry* would be the man, was a member of the Tennessee Conference, and assumed and argued not only the virtual compromise of the law of slavery, between the Northern and Southern portions of the Church, but the absolute necessity of this or some kindred adjustment, to prevent division and ruin. These men were all opposed to slavery, and had no connection with it, and yet they unyieldingly maintained the ground assumed in the Protest, on this subject. It is proper to add, that *Thomas Logan Douglas* was the only man in the minority of the Conference, who was in any way connected with slavery. The minority numbered about twenty members of the Conference, and being oppressed and trodden down in the struggle, referred to, they naturally turned to men of age, wisdom and experience in the Church, for counsel and direction, and especially to ascertain the real character and purposes of the law of slavery, and more particularly the opinions and conventional understanding, in which it had originated; and being one of the minority, and frequently called upon to act as one of its organs, I was necessarily led to a somewhat extended, if not critical acquaintance, with the whole subject and controversy. I was in the habit, for years, of consulting, whenever I could have access to them, the venerable men who had grown up with American Methodism, and who were therefore well acquainted, not merely with the facts, but with the reasons of legislation on this subject. From them I learned, what I believe to be the true history of the general rule on slavery, which found its way into that summary code of morals, known as the "General Rules" of Methodism, without the sanction of a General Conference, being introduced by Bishop Asbury and his council, in 1788 or '9, and first published in the latter year, and was intended as a response of the Church to the provision in the Constitution of the United States, then just adopted, for the abolition of the slave trade; the council deeming it proper, that what the Constitution looked for-

ward to prospectively, should be at once fixed upon as peremptorily binding upon all members of the Methodist Episcopal Church, and hence the prohibition—"buying of men, women, or children, (usually stolen and plundered from Africa, and brought to this country for the purpose) with the intention to enslave them." The language of Coke and Asbury, in their notes on the Discipline, sustains this view of the subject. Speaking of this rule, they style it, "a small addition, which the *circumstances* of the States required," evidently alluding to the recent prospective prohibition of the slave trade in the Constitution of the United States.

No part of this recital, which I introduce with great reluctance, but could not omit without subjecting my motives and conduct to misconstruction, is intended in any degree to reflect upon the character or piety of the majority of the Tennessee Conference. The most of the men who took part in that controversy, are now in their graves, and so far as I know, no cause of quarrel exists between any of the survivors. I will only add in this connection, that as McKendree, George, Bruce, and Cooke, had frequent interviews in council, with the minority, my recollections may have confounded, in some instances, what they stated on these occasions, with their statements before the Conference. That I quote their opinions correctly, I am entirely confident. Beside my general connection with the subject, during the hotly contested struggle in the Tennessee Conference, I was a member of the committee which drafted the Protest, and also of the committee which drafted the memorial to the General Conference, just alluded to, and hence it was the more necessary I should acquaint myself with all the sources, and avail myself of all means of information in my power, while at the same time, I should be the more likely to recollect and preserve the information I had obtained. And accordingly, I have in my possession copies of the Protest and Memorial, numerous letters received during the contest and subsequently, bearing upon it, together with other papers and documents, enabling me to make these statements with the perfect knowledge that they are substantially correct, and entitled to the confidence of all concerned. In this way I imbibed my first and early notions of the compromise character of the law of the Church on slavery. I am not at all careful or tenacious about words or phrases. My object is to make it appear to the satisfaction of the candid and well informed, that for the last thirty years, I have been taught, and taught too by the ablest masters in our common Israel, that the whole legislation of the Church, on the subject of slavery, but especially from 1800 to 1816, originated in mutual concession and compromise, between men representing the Church, North and South, and therefore, that the law of the Church is, *ipso facto*, a compromise, as assumed in the Protest of the Minority at the late General Conference, the principles and the positions of which, it is the object of this publication to defend. If I am in error, I have become involved in it most unintentionally, and without any personal interest, by which a man of common sense could have been influenced, during any part of the thirty three years to which these statements refer, and all my convictions assure me, if I am in error, I have been misled by such men as Bishops Asbury, McKendree—and George, Philip Bruce, Robert Cloud, Barnabas McHenry, Valentine Cooke, Leroy Cole, John Littlejohn, William Burke, Samuel Parker, William Allgood, John McGee, Thomas L. Douglass, and many others, equally entitled to credit, with whom I have been in intimate intercourse, and whose opinions gave character to my own. That these men regarded the law of the Church on slavery, as something very different from a "simple decree" of the General Conference, and as the result of vexed and protracted deliberation, at different times, terminating finally, in a compromise of conflicting opinions, in the shape of a rule or law, is a matter about which I can never doubt, because in every instance I had the in-

formation directly from themselves, and could not have misunderstood them. By the part I took in advocacy of the conservative grounds of the Discipline, in relation to slavery, from 1816 to 1821, mixed up, occasionally, with other incidental matters, my position became extremely unpleasant, and at two different times, Bishop McKendree proposed to relieve me, by making me his travelling companion in his annual tour of the continent. This I declined; but in 1821, requested him to transfer me to some other Conference, proposing to go wherever he chose to send me, and he accordingly transferred me to the Baltimore Conference, and stationed me in Pittsburg, assigning the state of things I have detailed, as the reason of my transfer. During the whole period of the General Conference of 1824, I was confined by extreme illness, in Washington City, and toward the close of the session, Bishop McKendree visited me, and in a long interview with him, he glanced at the difficulties in which I had been involved in the Tennessee Conference, adverted to the slavery question, expressed his conviction that the subject, as further compromised in 1816, and left upon the common ground of that arrangement, by depriving the annual Conferences of all legislative power over the subject in 1820, would secure the peace of the Church. In proof of this, he stated, that the subject had produced very little excitement at the General Conference then in session, and he trusted the question was conclusively settled. I have added this last item, because it is by several years of later date, and tended strongly to confirm all my previous views of the opinions entertained by Bishop McKendree, on this subject. I have also heard Bishop McKendree state, and have had the statement from others, that at the General Conference of 1808, or perhaps 1812, a measure was brought forward, on the subject of slavery, and would probably have carried, had he not declared to the Conference, that in the event of its adoption, *he could not attempt to administer the government in the South*; when it was abandoned. It is a well known fact, also, and within the recollection of living witnesses, that at the General Conference of 1796, when a motion was made to exclude all persons from the Church in any way connected with slavery, McKendree, Tolleson, and others, resisted it with the most unyielding determination, on the ground that the act would *exclude Methodism from the South*. In a letter before me, a venerable member of that Conference, and who goes with the North on the subject in controversy, says, "the motion was ably debated on both sides, all, I think, agreeing that slavery is a great evil. The ground taken by Wm. McKendree and James Tolleson, the strongest opposers of the motion, was that by passing it, we should shut up our access, not only to the slave holder, but also to the slave, so that we could do them no good, soul or body, for time or eternity. Here are two evils, (it was urged by McKendree and friends,) and we ought, (by way of compromise,) to choose the least. The motion was lost." But more of this in other places. I have introduced at some length, and at the hazard, perhaps, of incurring the charge of egotism, my own personal connection with this controversy, not as argument, but to show how, as a Methodist Preacher, every way unconnected with slavery, I was led to imbibe the doctrines and opinions of the Protest on this subject, and I think it must be perceived by every one, that my present position is a very natural, if not necessary consequence of what has gone before. I repeat, however, that to place it in the power of others to do me justice, is the only thing, so far as I am personally concerned, about which I am at all solicitous, and in order to this, I have, perhaps, already said enough, and it may be, more than was necessary.

It has always been understood in the South, that in all the conflicts in the Church, respecting slavery, there has been a sufficient number in the General Conferences, adhering to Northern policy, to carry any measure they chose, but that in a great many

instances at least, they have been restrained by appeal and remonstrance, from the South, and have compounded and compromised, as assumed in the Protest, and as we shall proceed further to prove. Before proceeding further, however, it may be proper to state, what the good sense of the reader could hardly fail to suggest, that in speaking of the North and South in this controversy, it is intended not to speak of all persons—the entire people North or South—but only so far as the North and South have *spoken out* and *acted* in the premises. In so far as any portion of the people, North or South, may be unrepresented by the avowal and action to which we allude, they are not included in these designations; and where it is meant to include them, the connection will sufficiently explain. It is necessary to add, too, that I shall use the term *abolition*, in the plain, obvious and general sense, in which I have always understood and used it, to denote *any interference or meddling with the question of slavery, contrary to the intention, and beyond the provisions of law, civil and ecclesiastical—that is, the law of the land and the law of the Church.* All persons so acting, I regard as Abolitionists, and shall so call them. On the other hand, the principles and actions of those who seek the removal or regulation of slavery, in strict and respectful accordance with law, as above, I have always regarded and spoken of as *conservative* in character and tendency, and shall do so in this discussion.

In an approach to additional sources of information—more strictly historical evidence—especially the official and accredited testimony of the Church, the reader need not be reminded, that the history of the controversy in question, has yet to be written. We have little else than scattered elements—isolated materials and fragmentary notices, scattered here and there throughout immense masses of authorship and publication. All is, to a great extent, without form and void, and a brief examination of the general subject, is impossible. Facts and principles may be condensed, as was attempted in the Protest; but proof is challenged, and must be furnished, or the South be found at fault, in the controversy. Our appeal is to the truth of history and the evidence of facts, and both must be met and set aside by a more convincing array of opposing proofs, before our cause is discredited. Any amount of criticism and disparaging remark, may be brought to bear upon particular parts and aspects of the subject, without in any way affecting the force of the argument attempted. Had it been practicable to discuss the subject fully and fairly within a more limited compass, it would have been greatly preferable, not only in the way of saving the cost of no little labor and research, but also in view of popular general impression. We found, however, that an extended induction of facts and particulars, was indispensable, and no very obvious classification of them practicable, without much more time than we have been able to devote to the subject. Beside, the subject is a peculiar and intractable one, and an appeal to discursive methods of examination appeared unavoidable, for the plain reason that but little can be known of the real character of law, the true philosophy of legislation in any case, without some adequate knowledge of the practical reasons and circumstances, in which it had its birth; and hence the course we have been compelled to adopt, and the impossibility of any very brief or condensed view of the subject.

I have always been taught, that the compromise character of the law of the Methodist Episcopal Church, was clearly inferable from the history of its legislation on the subject. It has always seemed to me impossible for any one, not under the influence of strong prepossession, to look at the ever recurring change of position, purpose and policy on the part of the Church, respecting slavery and abolition—its various, and often conflicting rules and regulations, at different times—its frequent suspension, repeal or modification of such rules—the constant attempt to meet the exigency of circumstances

—its unwillingness to hazard the issue of carrying out its severer acts of legislation—its uniform refusal, for sixty years, to close the door of the Church against slave holders, and yet irresolutely attempting all the time, to make emancipation a condition of membership afterward, when it was perhaps thought the terror of punishment, combined with other causes, might operate to secure submission. I repeat, I have always thought it impossible to look at the subject in these aspects, without perceiving that the Church, in all its legislation, has felt a resort to concession and compromise, indispensable to unity and success, in connection with the North and the South. I am still more strongly than ever of the same opinion, and consider the debates and action of the late General Conference, and even the Manifesto of the Majority, in reply to the Protest, as additional proof of the assumption. If it be true, as distinctly affirmed by Drs. Durbin, Peck, and Elliott, that the North has been conceding to the South for fifty years—if it be further true, as distinctly admitted, that the South has conceded to the North, although not, if we choose to admit what they assume, to the same extent—yet as both parties have felt the necessity, and acted upon the principle of concession, reciprocally claimed, how does it happen, we have no compromise as the result of such concession, in the legislation that followed? legislation and its judicial construction being the only form in which the parties could concede? Can men or parties concede right and claim, in legislative or judicial intercourse, and meet upon common ground, not the choice of either party, except as a preferred evil, without acting upon the ground of compromise? If this be possible, by whom has it been shown? The parties, by which we mean pro and con, those who thought and felt differently, on the best mode of treatment and remedy, as it regards the evil of slavery, took into view the adverse grounds they occupied, and that the general interests might prevail over the lesser and conflicting ones, they agreed to meet and act in view of average right and justice, between the adverse claimants. The whole drift, both of the language and logic of the Protest, goes to show, that in calling the law of slavery a compromise, we reasoned from the concrete to the abstract, knowing as we did, if its authors could be believed, that it had its origin in mutual concession and forbearance. As it originated in the necessity of trying emergent circumstances, its compromise character was taken for granted, inasmuch as the law itself became, of necessity, the abstraction and generalization of the conflicting facts and interests, difficulties and concessions, connected with its original enactment, in separate parts, at different times. Any tolerably accurate appreciation of the relations of the parties, must furnish satisfactory proof to the most common discernment, that the existing law of the Church could have originated in no other way. The legislation on slavery, by consent of parties, took circumstances and consequences into the account, and whatever may have been its form, as each party yielded in some things, and refused to yield in others, and both finally met in the adoption of the same general rules, the legislation in fact, was a compromise. It is admitted that the language of the Protest varies from the common phraseology of the Church on the subject, and we were led to use it, because, in our judgment, the crisis which gave it birth, rendered it necessary that the principles involved should be more clearly defined, and better underderstood. Should it turn out that we have wronged the truth of history, let the proper correction be applied. It is confidently believed, however, that the evidence we submit, in support of the Protest, will satisfy the discerning and unprejudiced, that no novel principle, assumption or speculation, unknown to our fathers and the American Methodism of the last half century, can be found in it. The very first minute, rule or regulation, the first act of legislation on the subject of slavery, by the infant Conference of lay preachers, in 1780, is both in language and temper, a compromise. Great as the

evil is charged to be, it concedes that even traveling preachers were slave holders, and merely requires a *promise* of emancipation ; and with regard to all other slave holders in the Church, the Conference simply *advises* them to free their slaves. If they did not intend compromise, in view of the civil rights—the interests and feelings of the South—why receive slave holders at all, either as members, or as local or traveling preachers? In the instance of what is declared to be crime, by every law of Heaven, man, and nature, why merely exact *promises*, and *advise*, instead of requiring emancipation before receiving them at all? If in the loose, extravagant language of the rule of 1780, slavery is contrary to the laws of God, man, and nature—is hurtful to society, contrary to the dictates of conscience and pure religion, and doing to others what we would not they should do to us, that is a criminal and ungodly practice, inhuman and unnatural withal, as most expressly affirmed, what must be thought of the *piety* and *usefulness* of preachers and people, thus living in open and declared violation of the laws of God, man, nature, society, and conscience, as well as the precepts of pure religion and social justice? What must be thought of law makers and Church rulers, who thus denounce practices as grossly iniquitous and immoral, while no actual abandonment of the evil is necessary, either to church membership or ministerial office? The persons and the practice are both placed under the angry ban of the Church, and yet continued in connection with it, as if it was thought necessary to baptize the evil, in order that the means of its extirpation might be brought to bear the more effectually. And yet, after this unmitigated denunciation, when, three years later, the subject next comes up, local preachers only are named, and it is deemed best to try them another year, to see whether, after four years advising, the result will not be different, and if not, it is gravely stated it may (and of course may *not*, as it turned out) be necessary to suspend them. Why this hesitation and delay? Was it or not seen and felt, by the excellent men composing these early Conferences, that they had acted prematurely, and that they could not carry out the principles and measures they had avowed and adopted, without ruin to the objects and mission of Methodism in the South? Unless this was so, why is an evil so unmitigated, so utterly at war with the moral order of Heaven and earth—so inconsistent with any, the least degree of moral uprightness, borne with for a moment? And especially why are persons involved in it, allowed to enter the Church, and even the ministry, when curse and defilement are assumed as the inevitable consequence! Without intended compromise, how can we reconcile the faith and practice of our fathers? In 1784, at the regular Conference, the local preachers in Virginia, holding slaves, are allowed another year to reflect upon the matter; that is, five years after the first warning! Does this delay betoken compromise or not? At the called Christmas Conference of the same year, we have a series of enactments, the tone of which is equally decided as to the moral wrong of slavery. These are expressly admitted to constitute a new term of membership, unknown to the general rules of Mr. Wesley, and came in with the new organization of the Church. Still, fearful of consequences, the law is suspended before it is published, and slave holders have another year for reflection, and in Virginia, where the Church was numerous and strong, they have two years more, extending the probation in Virginia to seven years. If in this no compromise is seen, six months after we have a further and more formal suspension of *all* the rules on slavery, until the next Conference, when it is declared the rules shall be enforced. This, however, was not done, and during twelve long years, the suspension continues, and the whole subject is allowed to sleep, and confessedly, because of the great evil done in the South by its agitation. In 1796 we have a new code or set of rules, but obviously of the same compromise character with former ones, as explained by the practice of our rulers. Slave

holders are still admitted to ministerial order and official station, upon security given that they will emancipate in future. The laws of the State, and the circumstances of individual cases, are to be consulted and deferred to by presiding elders and preachers in charge, in judging of the *nature* of the security required. And, as if doubtful whether this was not too stringent, upon the remonstrances of McKendree and others, from the South, they compromised the whole matter further, by authorizing the yearly Conferences to make whatever regulations they judge proper, respecting the admission of slave holders to official stations in the Church. Masters are allowed to hold slaves for a term of years, to remunerate themselves. Preachers and people are called upon for information and opinions on the subject, to be sent up to the next Conference, that the preachers, instead of their hitherto imperfect knowledge, and conflicting and versatile opinions and purposes, may have full light upon the subject. Such are some of the difficulties and details of the still incipient, unsettled compromise of the Protest. In 1800 there is still further modification and compromise. A traveling preacher is allowed to hold slaves, where emancipation is not practicable, in conformity with the laws of the State in which he lives; and to get at the subject more directly, without coming in conflict with the civil authoritities, it is found necessary to interfere with the legislation of the States in which slavery exists. The Annual Conferences are instructed to memorialize the Southern Legislatures, and urge them to pass "general emancipation" laws. Committees were to be appointed, too, to aid the traveling preachers in "this blessed work." An application of this kind, to the Legislature of Georgia, gave birth, in 1800, to the celebrated law of that State, prohibiting emancipation in any form, except by Legislative enactment. The application was deemed obtrusive and dangerous, and the Church, in this way, has prevented the emancipation of thousands of slaves in Georgia, as well as other Southern States, by provoking State legislation, which rendered it entirely impracticable. While this business of petitioning Legislatures, and remonstrating with them, was going on in 1800, it was suddenly found necessary to compromise this matter too, or give up the South, and the plan of petitioning was abandoned accordingly, and atonement was offered for the indiscretion, in the shape of apologies and explanations in behalf of the Church, especially after a Southern Grand Jury had, upon presentment for a violation of the laws of the State, found a true bill against one of the Bishops of the Church, Dr. Coke, on account of the active part he had taken, in the movement now referred to.

In 1804, the compromise character of the law of the Church respecting slavery, began to assume a more distinctive form. In view of the firm position and vehement representations of Southern Preachers, McKendree, Lee, Tolleson, and others, that the existing rules would no longer be borne with, private members are allowed to sell slaves into perpetual slavery as the dictate of "mercy and humanity," without Church censure, and all slave holders of the laity, in North Carolina, Georgia, South Carolina, and Tennessee, are exempted from the operation of even the new rule, entirely. The rules of 1796 and 1800, relating to interference with legislation, are repealed, and the Conference goes so far as to hazard, for the first time, in its rules and regulations, the distasteful admonition of the New Testament, that slaves should obey their masters and consult their interests. At the next General Conference, however, the admonition was expunged, as offensive or uncalled for, and nothing of the kind has appeared in our legislation, or marred our statute books since. In 1808, the compromise is still more fully developed. Every thing relating to slave holding among private members is expunged from the Discipline, and each annual Conference is fully authorized to make its own regulations, relative to buying and selling slaves. That this was done upon demand

and remonstrance from the South, will not be denied, and how far it goes to prove the compromise of the Protest, let men of sense determine. In 1812, the compromise, to which the good men of 1780–3–4–5, were driven, by the force of circumstances, in the very face of their own rules, and despite their cherished opinions and policy, receives a still more conclusive form, in the shape of a direct concession in terms, upon the urgent representation of Southern men, that the laws of the States are so diverse on the subject of slavery, that *no general rule can apply*, and hence a renewal of the grant of right to the annual Conferences, to control the whole subject as they saw proper. It was then agreed by the North and South, that the legislation of the Church must conform to that of the States, and emancipation *not* be required by the Church, where it was opposed by law and public opinion. This fair and manly adjustment of a grave Church difficulty, I heard Bishop Asbury explain and commend, only four months after it occurred, as *the great bond of union between the North and the South.*

In 1816, we have the last of a series of kindred measures—the final act of legislation, alluded to in the Protest, as completing the compromise between the North and the South. "No slave holder, shall be eligible to any official station in our Church hereafter, where the laws of the Church in which he lives, admit of emancipation, and permit the liberated slave to enjoy freedom." *Ergo*, "any slave holder, (so far as slavery alone is concerned,) shall be eligible to *any* official station in our Church, hereafter, (and of course whether as Deacon, Elder, or Bishop,) where the laws of the State, in which he lives, do *not* admit of emancipation, and the liberated slave is *not* permitted to enjoy freedom." This is a plain grant of law, and as such it satisfied the South. The South has always been satisfied with it. Nothing more has ever been asked by the South. It is the open infraction—the gross violation of this law by the North, of which we complain, and to which the South will not submit. Take now the law of 1800, the two regulating the entire traveling connexion and local ministry—"When any traveling Preacher becomes an owner of a slave or slaves, by any means, he shall forfeit his ministerial character in our Church, unless he execute, if it be practicable, a legal emancipation of such slaves, conformably to the laws of the State, in which he lives." Hence, "no traveling Preacher, becoming an owner of slaves, by any of the tenures recognized by law, in slave holding States, will be subjected to a forfeiture of his ministerial rights, if legal emancipation be impracticable, in conformity with the law of the State, in which he lives." With this, the South is equally satisfied, and by it we are willing to abide. We only complain of its violation by the North. And so of the general rule, as a prohibition,—"The buying or selling of men, women, or children, with an intention to enslave them." If then, a man shall not buy or sell man, woman, or child, with intention to deprive them of liberty, or reduce them to a state of slavery, he cannot violate the general rule. And with this too the South are perfectly satisfied. These rules fairly interpreted according to their most obvious meaning, as by the General Conference of 1840—interpreted as they would be in any intelligent Court of Equity, afford all the protection we need. The construction, however, placed upon them, the two former especially, by the last General Conference, virtually repeals them, and it is against such nullification we protest. Believing as we have shown, and shall further show, that the legislation of the Church on slavery, especially since 1800, originated in concession and compromise, call it by what name you will, the South have always relied on it as a solemn compact, based upon the good faith of the parties, and regard the violation of it, by the late General Conference, as inconsistent with fidelity to the obligations of a grave public engagement.

In 1820, the only action of the General Conference respecting slavery was to take from the Annual Conferences the authority to make their own regulations on the subject; and this action was had in view of the Memorial already alluded to, from a minority of the Tennessee Conference and the representations of Bishops McKendree and George; in connection with it. In 1824 the general law of slavery was left untouched. So also in '28, '32, '36 '40 and '44. except, that by construction, the last General Conference changed it entirely, and so undermined all the securities of the South, and reduced us to the necessity of resistance, as an act of self-preservation. As the general rule, the course of legislation on this subject has always been a conservative, middle one, between Northern and Southern convictions and interests. The necessity of union was always strongly felt, and this interest prevailed, but not until either section or party, North and South, had yielded highly cherished preferences, on the ground of concession and forbearance. And not only is it susceptible of the clearest historical and logical proof, that the law of slavery has always been a virtual compromise, but the whole administration based upon existing law, from time to time, has been such in fact, because accommodated to the ever-varying circumstances, under which it has been applied. If not, why has the law, in so many instances, as we have seen, been permitted to remain a dead letter—a mere *brutum fulmen*, when it came in conflict with circumstances and developments, rendering its exercise inconsistent with the more general reasons and causes, which gave it birth? We are reminded, however, that all this is denied both by the *writers* and *signers* of the Reply, (it was the joint production of *three* different writers, only *one* of whom signed it,) and it may not be amiss to vary the evidence on this subject. The Protest assumes a legal compromise, in the absence of its forms, and the Reply quietly assures all concerned, that it is an absurd fiction, unworthy of credit. This denial, without a word of proof, is offered as quite sufficient to overthrow the Protest entirely. The summary endorsement of the quintuple alliance of Northern editors, was of course superfluous. If it should be made appear, however, that legislative compromise is by no means uncommon, but in fact of frequent occurrence, and notoriously one of the most ordinary forms of party stipulation, it will at least tend to prepare the way for a fairer estimate of the mass of evidence we have yet to present, on the subject in dispute. The well known political balance of mutual rights and interests, as secured in the Constitution of the United States, between the North and the South, has been recognized as a compromise, since the foundation of the government, without any direct evidence, however, of any thing resembling compromise, in the Constitution itself. A conventional understanding has, during this whole term, existed between the North and South, to the effect, that in the admission of new States into the confederacy, the number of free and slave States shall be equal, or as nearly so as practicable; and this has been invariably appealed to, as a compromise not to be disregarded by either party, without the imputation of implied dishonor, although no express contract exists to this effect. The evidence is found in the Constitutional history of the country. When the Congress of the United States, in 1820, decided upon a proposition from the Hon. H. Clay, that no slave State should be admitted into the Union, North of latitude 36 30, and the North agreed to admit Missouri, and settle the slavery question as then agitated, upon the basis of such a prospective arrangement, it was then, and has ever since been, regarded as a compromise, reasonably and fairly binding the South against any attempts to extend slavery beyond this line, and the North against meddling with the question, by opposing the admission of slave States South of it, unless they should exceed in number the free States North. However informal, this conventional arrangement, it has always been understood and recognized as

a compromise, which saved the Union of the States, both by the people of this country, and throughout the civilized world.

Mr. Madison informs us, that a measure introduced into Congress in 1782, was carried through and became a law "by compromise," and yet, in the reported proceedings of Congress, the evidence is not found upon the Journal. Mr. Madison also informs us, that in settling the question in the Congress of 1783, in what proportion slaves should come in as a basis of representation, the question could only be settled by compromise; and yet the compromise does not appear upon the face of the record. In the Convention for the adoption of the Constitution of the United States in 1787, there was a special conventional compromise, as Madison, Hamilton, and others, assure us, between the North and the South, respecting commerce and slavery—the Northern confederates needing what it was the interest of the South to withhold, but the North insisting, the South yielded, in view of a similar concession to them in favor of slavery. The evidence of the fact, however, does not appear in the Constitution, but elsewhere; although it is as certain, as it is likely to become important in the history of the country. The West India Emancipation bill is known and recognized in the debates of Parliament, and British history, as a compromise; and yet as a law it wears the aspect of a simple decree, and is only known as a compromise, because it was an adjustment of a difficult question between the West India Planters and the Imperial Legislature, upon the ground of mutual concession. Even Magna Charta is shown by Hallam, Godwin and others, to have been a compromise, and as such has given character to British legislation ever since, although the form of this celebrated instrument does not indicate the fact. The existing government of France is recognized by philosophical statesmen, as the great compromise between the absolutism of one part of the nation, and the republicanism of the other; and it is strictly true that the government of Louis Phillippe is a compromise arrangement, although it may not appear upon the Statute book, or in the Cabinet archives. During a period of near a century before the American Revolution, a conventional understanding existed between the colonies of this country and the English government, that while the latter had the right to regulate external taxation, duties, and imposts, connected with the colonies, the undoubted right belonged to the former, to regulate all internal taxation; and a well defined compromise to this effect, without any formal stipulation, had become so incorporated with the convictions and feelings of the American people, that its violation by the British ministry, instantly decided the colonies in favor of revolt. The question of slavery, in British India, has long been treated by the Parliament and Press of England, as a compromise arrangement—one party insisting on its abolition, and the other resisting it, as subversive of British sovereignty in that quarter of the globe. The policy of the government has always been regarded as a compromise, while mere legislation has given the subject no such aspect. The adjustment of the great Tariff question, between the North and the South, in 1832, is known as the Compromise act of Congress on the subject, and yet, upon its face, it is a simple decree of national legislation. Speaking of English compromise grants, the Crown, the Nobility, and the Commons being parties, Hale says: "The *concession* of these Charters was in Parliamentary form."

Dr. Bangs and Bishop Emory, both style the suspended resolutions of 1820, usually known as the Presiding Elder question, a compromise; yet no evidence of the fact appears upon the face of the law, and it is evident they reasoned in the case, as we have in the Protest, the law was a compromise because it originated, as did the law of slavery, in the mutual concession of antagonist parties. The proposition of the Bishops to the late General Conference, to postpone the whole question in the case of Bishop An-

drew until 1848, was regarded and has since been represented by both parties as a compromise measure, without being so shaped or styled by its authors. Dr. Emory, and subsequently the Bishops, in an official address, and more recently Dr. Elliott, represent the conventional agreement of the traveling ministry, to labor where the Episcopacy may appoint, and the people to submit without any claim of right to select their pastors, as a compromise in the Constitution of the Church, and which cannot be violated without high moral blame, but certainly without any formal stipulations to this effect.

By analogy then, the circumstances of conventional understanding and legislative adjustment, being the same or similar, is it not with the most perfect and entire propriety, the Protest speaks of the compromise law of the Church, on the subject of slavery? Nor in doing so, was there any thing constrained or far-fetched. It is a conclusion so natural and necessary, in view of the premises, as furnished in the history of the Church, that the only wonder is, that men claiming enlarged information could be prevailed upon to risk its denial. It is urgently assumed in the Reply, that the North has always been conceding to the South, as it regards slavery. The question arises, have they done so, except as it was just and right? Have they sacrificed principle and duty, by concession? If not, the just claims of the South to the concessions made, are admitted by their own acts in the case, and the result is compromise. We have seen, and shall have occasion further to see, that in order to the very existence of the law of slavery in the Methodist Episcopal Church, compromise was an indispensable condition. Without it the law could not have been. In a conflict of necessities, the parties legislated upon the principle of mutual accommodation. Neither party had what they desired, each gave up what they were anxious not to part with, but agreed to unite upon what they could obtain, in the adjustment, without disunion, and this social guaranty, in the shape of public law, has been looked upon, in the South at least, as a compromise, because concession was known to be its basis, and because, without such a reciprocal modification of different and opposing elements, interests, and wishes, no law could have bound the North and South together. The Bishops in their General Conference address, 1840, say, "it is *impossible* to frame a rule on slavery proper for our people in all the States alike," and certainly it is not less impossible to do it in the case of the ministry. The only reasons involving conscience or principle, apply alike in either case. And accordingly the law of the Church has always been different in its application to different States, and we are thus presented with the necessity, the reasons, and the fact, of compromise, as assumed in the Protest. The sum of the whole legislation on the subject, has been essentially conventional in character and bearing, and although without any formal ratification by the parties as such, has been in fact a compromise arrangement. Dr. Bangs says, "the several modifications of the rules on slavery, from one General Conference to another, until the present time, all partake of a similar character," (that of compromise,) "intending to record the *opposition* of the Church to the *system*, and to adopt such measures to *mitigate* its evils, and finally, if possible, to do it away, as wisdom and prudence should suggest." Speaking of the legislation of 1784, the Dr. says, "even this *gradual* process *could not* be carried forward, without producing a *greater evil* than it was intended to remove," and adds, that the law "was suspended," (the Church finding it necessary to compromise,) "in favor of those more wise and prudent measures, which the Church has ever since used, and is ready to use for the extirpation of slavery." Even the zeal of Dr. Coke cooled in contact with the reasons and necessity for compromise to which we allude. "On his second visit to America, Dr. Coke was convinced he had acted *indiscreetly*, and he consented (when

pressed by the South,) to let the question of emancipation alone." "He proceeded in such an intolerant spirit of philanthropy, that he soon provoked violent opposition." "His mistaken zeal and the unfavorable influence his opinions and course had, on the subject of slavery in the South, are matters of history."—*Drew's Life of Coke, Southey's Wesley, Coke's Journal.* The General Conference in their address to the British Conference in 1840, say, "under the administration of Dr. Coke, emancipation was urged alike in all the States, without reference to *law* or *public opinion*—the attempt proved almost *ruinous*, and was soon abandoned by the Dr. himself. While therefore, the Church has encouraged emancipation, in those States where the laws permit it, and allow the freedman to enjoy freedom, we have refrained from *conscience sake*, from all intermedling with the subject, in those States, where the *laws* make it *criminal*." Would truth permit the last General Conference to make such a statement? They add, "the question of the evil of slavery, is a very different matter, from a principle or rule of Church discipline, to be executed *contrary* to and in *defiance* of the laws of the land." There is perhaps no single word in the English language, so fully expressive of the meaning of the General Conference in this statement, as the single word compromise, if we take into the account, with the course of action indicated, the reasons which obviously led to it. The General Conference says, of both the ministers and members of the Church, "with their rights as citizens of these United States, the Church disclaims all interference." Apply this to the Southern ministry and membership, connected with slavery, where emancipation is impracticable, and what does it expressly authorize them to assume, on coming into the Church, or any grade of the ministry? By what means could it be made clearer, that the General Conference pledges, that the legislation and practical government of the Church, should be such, as not to conflict with the rights of citizenship in any of the States. How was this pledge treated by the late General Conference, especially in the case of Bishop Andrew? The General Conference of 1836 declared, "such is the diversity of habits, thoughts, manners, customs, and domestic relations, among the people of this vast Republic, and the diversity of the institutions of this vast confederacy, that it is not to be supposed an easy task, to suit all the incidental circumstances of our economy to the views and feelings of the vast mass of minds interested." Is it not intended, that the facts brought into view, shall desiderate the *necessity* of compromise, in order to prove its *reasonableness*, as it actually existed in the law of the Church? Again they say, "we pray that brethren, will at least give us the credit of having acted in good faith, not having regarded private ends or party interest, but the best good of the whole family of American Methodists." The allusion here to parties, "party interests" and "good faith," may tempt some to think, that both the language and sentiments of the General Conference had been plagiarised into the Protest. They add, "we assure you, we have adopted no new principle or rule of discipline, respecting slavery, since the time of the apostolic Asbury, neither do we mean to adopt any. There are States in which slavery exists so universally, and is so closely interwoven with the civil institutions, that both do the laws disallow of emancipation, and the great body of the people, (the source of laws with us,) hold it to be treasonable, to set forth any thing by word or deed, *tending that way*." As it would be wrong and *unscriptural* to enact a rule of discipline contrary to the Constitution and laws of the State, on this subject, so also would it not be equitable or *scriptural*, to confound the positions of our ministers and people, so different are they in different States, with respect to the *moral* question which slavery involves." The good sense of these passages, will command respect every where, but when we come to apply them in the case of Bishop Andrew, we are compelled to see, that the requirement of the late

General Conference was both disallowed and held to be treasonable both by the laws and people of Georgia—was contrary alike to its "Constitution and laws," if the last may explain the first, and therefore, by authority of the General Conference of 1836, not only "wrong," and "inequitable," but "unscriptural," albeit, it is in bad taste and worse odour to invoke scripture to this effect. They say further, "we have been less or more agitated with the perplexing question of slavery, interwoven as it is, in many of the State Constitutions, and left to *their disposal* by the civil compact, which binds us together as a nation, and thus put beyond the power of the legislation of the General Government, as well as the control of *ecclesiastical* bodies, could you have perceived all its delicate *relations to the Church*, to the several States, and the government of the United States, you would have sympathized with us more tenderly." Contrast with this language, the rash and reckless proceedings, (so we are compelled to regard them,) of the General Conference of 1844, and who can help being struck with their irreconcilable dissimilarity. Here is a most "perplexing question," "interwoven" with some fifteen "State Constitutions"—at the "*disposal*" of these States alone, and this too by the stipulations of the national compact—"beyond the power of the General Government, or the control of ecclesiastical bodies,"—"delicately" connected with "*the Church*"—the "several States" and the government of the United States. In 1844, however, all is changed. The Majority place "theatres and grog-shops," side by side with slavery, and declare them equally allied to law and government. And their organs have since improved upon the discovery, by the addition of "drunkenness, profaneness, and the card table"—all equally condemned by morality, yet equally protected by law! The General Conference of 1836, by solemn resolution declared, "we wholly disclaim, any *right*, *wish*, or *intention*, to *interfere*, in the *civil* and *political* relation, between master and slave, as it exists in the slave holding States in this Union." Here the relation between master and slave is "*civil* and *political*," and the Conference disavows any "right" to "intefere." Georgia was a slaveholding State—Bishop Andrew a citizen and master, and the late General Conference declared, that the "*civil* and *political*" relation, existing between him and his slaves, must be dissolved, or he cease to be a Bishop of the Methodist Episcopal Church, except in a state of suspension—that is, hung up for further punishment. Take the public faith of the Church, as pledged to James O. Andrew, in the resolution above, and then turn to the redemption of that pledge by the late General Conference, and tell us which is laboring under the greater "impediment," and which ought to "desist," until it is removed? In the address of the Bishops in 1836, they say, "from a calm and dispassionate survey of the whole ground, we have come to the solemn conviction, that the only safe scriptural and prudent way for us, both as ministers and people to take, is *wholly to abstain* from this agitating subject." What deference did the Majority of the late General Conference extend to this advice? In all the General Conference *olympiads* of the Church, has any one been half as much distinguished by agitation, as was the close of the last?

The Bishops state in behalf of the Annual Conferences generally—"they have no disposition to criminate their brethren in the South, who are unavoidably connected with slavery, or to separate from them on that account." Bishop Andrew, by the showing of his prosecutors, was "unavoidably connected with slavery," entirely apart from his marriage, and the assurance here given by the Bishops, and endorsed by the General Conference, was utterly disregarded in his case. The Bishops add of the Conferences, "they clearly perceived that the success of abolition measures would result in the *division of the Church*." Did or did not the anti-slavery party so act at the late General Conference, as to give success to "abolition measures," and thus incur the responsibil-

ity of a "division of the Church?" In the same connection, the Bishops strongly insist on "no imposition of new terms of communion—no violation of covenant engagements, on the part of the Church." This is too much in character with the doctrines of the Protest, not to be condemned with it. The Bishops obviously regarded the Annual Conferences as original contracting parties, creating the Delegated General Conference with limited rights and powers, and the law of slavery as one of congruity and comity, to which they had mutually consented, in General Conference action, for the good of the whole body—hence the law of slavery a *term* of communion—and "covenant engagements" which *may* be broken by the General Conference. Does the abused compromise of the Protest assume more than this? The Bishops remark further: "Rules have been made, from time to time, regulating the *sale, and purchase, and holding* of slaves, which, upon experience of the great difficulty of administering them, and the unhappy consequences, both to masters and servants, have been as often changed and repealed. These important facts, which form prominent features of our past history, as a Church, may very properly prepare us for that course of action in future, which may be best calculated to preserve the peace and unity of the whole body—promote the happiness of the slave population, and advance, generally, in the slave holding community of our own country, the humane and hallowing influence of our religion. We cannot withhold from you, at this eventful period, the solemn conviction of our minds, that no new ecclesiastical legislation on the subject of slavery, at this time, will have a tendency to accomplish these most desirable objects." How far this admonition, to adhere to existing "covenant engagements"—the compromise of the Protest, was adhered to in the premises of this controversy—and to what extent "new legislation" was had by forced construction of existing law, we shall have occasion to see by viewing the subject in a variety of additional aspects. The Bishops vehemently urge the ministry, including themselves, to employ their "whole influence to bring both slave and master to a saving knowledge of the grace of God, and to a practical observance of the relative duties of 'master and slave,' so *clearly prescribed* in the writings of the inspired Apostles."—(The duties growing out of the relations of the theatre, grog shop. card table and race ground, omitted.) "Can we," they add, "at this eventful crisis, render a better service to our country, than by laying aside *all interference with relations* authorized and established by the civil laws, and applying ourselves wholly and faithfully to what specially appertains to our high and holy calling—to teach and enforce the moral obligations of the Gospel, in application to all the duties growing out of the different relations of society. If past history affords us any correct rules of judgment, there is much cause to fear, that the influence of our sacred office, if employed in interfering with the *relation itself*, and *consequently*, with the *civil institutions* of the country, will rather tend to prevent than to accomplish these desirable ends." How this advice, sanctioned as it had been by the whole Church, was dishonored by the late General Conference, no one need be told.

The British Conference, in the last charge to their West India Missionaries, before the abolition of slavery there, explicitly declare: "Your only business is to promote the moral and religious improvement of the slaves to whom you have access, without, in the least degree, in public or private, interfering with their *civil condition*." And in their address to the Methodist Episcopal Church in 1839, on the subject of slavery, they say: "You are placed in circumstances of painful trial and perplexity. We enter with brotherly sympathy into the peculiar situation you are called to occupy." First disclaiming any right to meddle with the *civil* condition of the slave, even in the West Indies, where slavery existed without the guaranties with which it is surrounded in this

country ; and secondly, admitting that our position, in this respect, is a peculiarly trying one, and therefore calls for treatment suitable to the difficulty and issues involved. Again, the British Wesleyans instruct their Missionaries—"on all persons, in a state of slavery, you are diligently and explicitly to enforce the same exhortations which the *Apostle* of our Lord *administered* to the *slaves* of ancient nations." There is certainly a startling contrast between these views, and the kindred advice of our Bishops, as it regards the apostolic practice of inculcating upon all slaves, the Scripture duty of obedience and fidelity, and the affectation of pious horror manifested at the recent General Conference, lest the Bible should be invoked on this subject for any purpose not involving the denunciation of slavery. The difference is, the first *has*, and the second *lacks* the warrant of the Bible. At the Western Conference in Tennessee, in 1808, Bishop Asbury says: "We made a regulation on slavery ; it was, that no member of society, or preacher, should sell or buy a slave, unjustly, inhumanly, or covetously." The concession here by Bishop Asbury and the Conference, is, that in view of the existing system of slavery, (though regarded as an evil,) ministers, as well as members of the Church, may nevertheless both buy and sell slaves, without the charge of injustice, inhumanity, or covetousness—that is, without any charge of moral wrong. At the Virginia Conference, in 1809, Bishop Asbury says: "We are defrauded of great numbers by the pains that are taken to keep the blacks from us." Why? He adds, "their masters are afraid of *our principles*"—that is, abolition principles. He goes on, "would not an amelioration in the *treatment and condition* of slaves, have produced more good to the poor Africans, than any attempt at their *emancipation?* What is the personal liberty of the African, which he may abuse, to the salvation of his soul?" Well may we pause over these concessions of the experienced Asbury. He avows that abolition had "defrauded" the Church of multitudes, (not only thousands, but hundreds of thousands of slaves,) and he admits that the salvation of these unfortunate slaves had been jeopardized by attempts at their emancipation, which had proved as abortive, as they were offensive and injurious. At the Southern Conference, held at Green Hills, North Carolina, in 1785, Dr. Coke warmly, and in reproachful language, objected to the character of Rev. Jesse Lee, because he was not in favor of coercing the immediate unconditional emancipation of all slaves owned by Methodists. This resulted in a serious personal conflict, producing great division of feeling, and a high state of excitement in the Conference. The Doctor found himself in the minority, and finally apologised for his conduct. The difficulty, however, was renewed a few days after, at a Conference in Virginia, where the people became greatly excited against the Conference, on account of their interference in matters of civil right. The author of the Life of Lee, alluding to this conflict with Dr. Coke, remarks that Lee "anticipated what in reality was brought to pass, a few years after, that the spirit of the (Southern) people would be roused, by pressing the subject too closely, and that it would be the means of closing the door effectually against *future* emancipation." Indeed, nothing is more evident, than that parties, as they now exist, have existed from the beginning, in the Methodist Episcopal Church, on this subject ; and that the zeal and indiscretion of the abolition party, during the whole term, have tended directly to check and arrest the progress of emancipation, so that no unimportant portion of Southern slavery, is directly chargeable, during a period of sixty years, to such interference by a portion of the Church. History and experience, a thousand experiments and as many failures, have demonstrated to the good sense of all concerned, that to meddle and denounce, can never mitigate the evils of slavery, in this country. And if slavery and Methodism ought not to co-exist, in the same fellowship, why, in the name of any or all the virtues, has the con-

nection been allowed at all, whether by Wesley himself, in the early American and West India societies, or by the Methodist Episcopal Church? Mr. Wesley made no attempt to exclude it—had no rule—gave no directions on the subject. He condemned the system, but as a practical question of civil origin and regulation, refused to meddle with it. The Methodist Episcopal Church has always waged war upon the evil, and yet would not part with it; that is to say, has always proclaimed slavery an evil, and yet admitted slave holders to all the rights and privileges of lay and ministerial standing. A standing antagonism has been maintained, but always in a state of wedlock. How will the historian make appear, that it was fair and just, honest and honorable, to admit slave holders, as they have notoriously, since 1770, both to membership and office, with the intention of making emancipation the condition of the one and the other, subsequently? If the first be admitted but the latter denied, then what becomes of the Church's "opposition" to slavery? In what sense has slavery "been treated as an evil?" Unless we take the ground that it was the purpose of the Church to oppose slavery, as one of the many forms of civil oppression, but not to treat the slave holder as involved in moral blame, in view of the mere relation itself, how can we defend the character of the Church? Look at the ground we have just gone over. Why this temporizing hesitation—this complication of terms and conditions—these declarations of hostility, followed by truce, suspension and repeal? Look at the subject as we may, the idea and the necessity of compromise, obtrude at every step. The real difficulty, which ever and anon has presented itself, in the history of legislation, has always arisen out of a conflict of opposing elements and interests. The conflict proves the existence of parties, and the adjustment of the difficulty, by legal enactment of the parties in common council, proved the only and yet real compromise, for which we contend. Lee, in his history of American Methodism, speaking of the legislation of 1784, observes: "These rules were offensive to most of our Southern friends, and were so much opposed by many of our private members, local preachers, and some of the traveling preachers, that the execution of them was suspended." That is, the legislation of a majority was suspended upon the Protest of a Southern minority. The parties were as distinctly marked sixty years ago as now. Lee says of the Conference first legislating on the subject of slavery in 1780: "None of the preachers South of Baltimore were present at the Conference." It was a Northern movement entirely—a one-sided measure—the South would not submit to it, and the "Rules" soon went to the grave of the Capulets. The action in 1780, should be carefully kept in view, as the deed of the North, distinguished from the South, although it has been dexterously palmed upon the whole body of primitive Methodist preachers. Lee is explicit: "On the 24th day of April, the eighth Conference met in Baltimore, where the *Northern* preachers *only* attended." The North had the preponderance of strength, and ruled, as now, the minority of the South. Speaking of the Northern Conference and the Southern Conference contra-distinguished, Lee says the Northern Conference "was allowed greater privileges than that in the South, especially in making rules and forming regulations for the societies. Accordingly, when any thing was agreed to in the Virginia Conference, (South) and afterwards disapproved of in the Baltimore Conference, (North) it was dropped. But if any rule was fixed and determined on at the Baltimore Conference, the preachers in the South were under the necessity of abiding by it." The North having the majority, and controlling the South. In 1803 the Southern conferences had 165 preachers, and 56,000 members; while the Northern Conferences had a less numerous membership, with 218 preachers—an excess of more than 50; and a similar disproportion has always existed, giving Church control to the North. It is true, in early times the North and

South would have been about equal in numbers and strength, had the Baltimore Conference acted with the South, where geographically and politically she properly belongs. That Conference, however, has always cherished affinities for the North, and continues to do so, and this fact has secured to the North the power of the Church for 65 years or more. Contrary, therefore, to the round assertion of the Reply, the preponderance of strength has always been in the North. Upon this misstatement of fact, and the consequent inconclusive reasoning of the Respondents, it is not necessary to enlarge. Numerous facts support our general position. In raising a fund, the year before our Church organization, that is in 1793, for the support of preachers' families, the assessment was "North Circuits £200, South Circuits £60;" showing the great disproportion in strength and resources. At the General Conference of 1804, the Baltimore and Philadelphia Conferences alone, furnished 67 members, nearly two thirds of the whole number. Had not the Baltimore Conference represented Pennsylvania rather than Maryland, as she always has in this respect, the North and South would have been equally divided, with three Bishops (Englishmen) at their head. As it was, the North was decidedly in the ascendant. Indeed, up to the General Conference of 1812, the Baltimore and Philadelphia Conferences furnished more than half the members of all the General Conferences. I have often heard it stated by those who were present, that at the Christmas Conference of 1784, there was but a small number of preachers present, and scarcely any from the South, until toward the close, when nearly all the business had been despatched. This statement is sustained by Lee's history, and especially by Bishop Asbury, who says: "Friday 24, (December,) rode to Baltimore, where we met a *few preachers;* it was *agreed* to form ourselves into an Episcopal Church, with Superintendents, Elders and Deacons; *when the Conference was seated*, Dr. Coke and myself were unanimously elected to the Superintendency of the Church. We were *in great haste*, and did *much business* in a *little time*." In all this, Northern ascendancy is distinctly visible, as the power of control has been in fact with the Northern Conferences, and the South strictly a minority.

Bishop Asbury states, that soon after its publication, he learned that the address in 1800, of the General Conference, calling on the Southern Legislatures to emancipate the slaves of the South, had, in South Carolina, "been the occasion of producing a law, which prohibited ministers attempting to instruct any number of blacks with the doors shut, and authorizing a peace officer to break open the door in such cases, and disperse or whip the offenders. Nothing could so effectually alarm, and *arm* the citizens of South Carolina, against the Methodists, as the address of the General Conference. They did indeed, (before,) give their slaves liberty to hear and join our Church, but now it appears the poor Africans will no longer have that indulgence." Again he says, "I lament that I have no access to the poor (slaves,) our way is strangely closed up, at present, in consequence of *the address*." Drew, speaking of Dr. Coke and his associates, remarks, "on account of their attacks on slavery, they were in danger of being altogether hindered from prosecuting their ministry, and hence were compelled *to change their course*," that is, driven to compromise. He says, "if Dr. Coke had continued his direct attack upon the slave trade, (slavery is meant,) he must have abandoned the United States." These and kindred facts, early decided the Church in favor of a compromise course. When, at the General Conference of 1808, the Bishops were authorized to ordain colored persons, free or slaves, to the office of Deacon, it was deemed unadvisable to publish the fact, nor was it published until nine years after. Lee says, "most of the Preachers were opposed to its being made public." Why this deference to Southern opinion and feeling, unless the Church had resolved on a course of compro-

mise treatment? Dr. Bangs says, "they found it necessary to relax in their measures against slave holders, without, however, attempting to justify the system itself." Lee says of these early measures: "It was going too far, and calculated to irritate the minds of our people, and not to convince them." He adds: "Long experience has taught us, that the various rules that have been made on this subject, have not been attended with that success which was expected. We are well assured they never were of any particular service to our societies." He informs us: "Dr. Coke met with much opposition in the South, owing to his imprudent manner of preaching against slavery. No doubt the Doctor, at the time, thought he was doing right, but afterward, when he printed his Journal in England, he acknowledged he was wrong in preaching publicly against slavery in Virginia, where the practice was tolerated by law." The General Conference of 1796, apparently in doubt about what had been done, calls upon the whole Church, to give, in any form they might prefer, their maturest thoughts on slavery; and yet Coke and Asbury, in preparing and publishing, by request of this Conference, their notes on the Discipline, say not one word in explanation of the section on slavery. The general rule, respecting which there was no diversity of opinion, they explain, but pass over the *vexed question*, which then, as now, was giving the Church so much trouble—that is, how we are to attempt *correction*, without *increasing the evil!* Was not this very silence a concession to the magnitude of the difficulty? The probability that the general rule was inserted by order of the Bishop's council, is strengthened by the fact that the slavery question was allowed to slumber—was not agitated at all, from 1785 to 1796. In the year 1789, the date of the rule, there were eleven Conferences, all quite small, as we learn from Lee, Bangs, and others. No one of them could claim any thing like conventional authority, and this fact, connected with the preceding one, renders the supposition above almost certain; especially when connected with what we have before stated, and the silence of Conference history on the subject.

Dr. Durbin says: "The Church has gradually made concessions to the necessities of the slave holding States—our fathers wisely made them, on the ground of necessity—the Methodist Church could not have existed at all in the South, without them." An analysis of the Doctor's concession, shows that the majority of the North conceded, upon the *just demand* of the South, and that the South and North, in *asking* and *making* the concession, sought the common unity and good of the whole, and the Doctor thus gives us, in part, the true compromise of the Protest. Dr. Bangs assumes that the Methodist traveling ministry "pledge themselves to each other, not to violate those conventional obligations, under which they have reciprocally bound themselves, as articles of faith, and rules of moral, religious and ministerial duty. Against these they are not at liberty to speak, preach, or write. Without the redemption of this pledge, there can be no peace or union." How far, and with what force this applies to our compromise argument, and our reasoning on the subject of conventional pledges, in the shape of legislation, will be seen at once, without remark from us. On the subject of slavery the Dr. says, "at almost every General Conference, some enactment has been made for the purpose of regulating slavery—of modifying or mitigating its character, with a view ultimately, if practicable, to do it away. It is manifest, that the making rules for the regulation of a practice, is in some sense to pronounce, that the practice is not, in itself, considered independently of all concurring circumstances, a moral evil in the sight of God. To legislate for a thing is to sanction it, though the manner of holding the thing may be considered either unlawful or inexpedient." This is the true compromise doctrine of the Church. The legislation of the Church has aimed at the *regulation* of the practice in question. This implies not merely toleration, but as Dr.

Bangs says, some degree of "sanction." The Church has never legislated, in view of regulating Drunkenness, Profaneness, Gambling, Theatres, and Grog-shops. Every aspect in which the subject comes up, proves the folly of any attempt to place slavery in the same category with these. The whole history of Methodism, disowns the classification as absurd, and in the language of the General Conference, "unscriptural."

On the general view of the subject we have taken, hear the *venerable Bishop Hedding*, whose reasoning has never been influenced by a Southern sun or Southern sympathies. He says, "the Church has permitted her members to hold slaves, where the laws of the land are such that they will not allow of emancipation, without subjecting the emancipated person to be again enslaved. The *right* to hold a slave, is founded on the rule 'all things whatsoever ye would that men should do to you, do ye even so to them.' That there are many such cases among our brethren of the Southern States, I firmly believe. If I did not believe it, I could not do the duties the Church requires me to perform, when I attend the Southern Conferences. If I had not believed it in 1824, I could not have accepted the charge committed to me, when I was made one of the Superintendents of the whole Church, including slaves and masters. They believe that to emancipate their slaves, would be breaking the rule, 'do as you would be done by.' We cannot convince them by censuring them. Other means must be used if ever they are convinced. But that they are wrong in *principle*, cannot be proved, unless you can produce a precept of the Divine law equal to this, 'thus saith the Lord, thou shalt not own a slave.' But this precept is not in the Bible. Will you say slavery is condemned in the parts which compose it. This is true of the slave trade, of the system, and of all the injustice and cruelty inflicted on slaves, but it is not true in circumstances, where the best possible thing a man can do for his slaves, is to hold, protect, feed, and govern them. Will you say, 'undo every burden and let the oppressed go free;' but the people I have described are *not oppressed* by their owners. If their present owners should set them free, they would be oppressed by others. They are now held to protect them from oppression, and to own them is the only way to protect them. The Church has never said there could be no circumstances, in which a man could own slaves, and yet be innocent—nay, she has said the contrary." Since the organization of the Church in 1784, he represents her as "teaching those who could put away their slaves, on our Lord's rule, to do so, and also teaching those who could not thus release them, to conduct towards them as the Saviour directed." He says "the address of the General Conference on slavery in 1800, was the occasion of a vast amount of injury both to them and the work." Speaking of the entire history of the Methodist Societies from their first establishment to the organization of the Church in 1784, the Bishop remarks, "Mr. Wesley and his preachers did not, at that time, believe it was a sin to hold slaves, where the laws were such as to prevent their continuing free after being manumitted. The language they employ clearly shows that it was their opinion that their people might be innocent in holding slaves, where the laws did not permit emancipation on christian principles. Mr. Wesley never said one word, that I can find, against a christian man's holding his slave in circumstances where he could not put him away without injuring him. And the fact of his allowing some of his preachers and members to hold slaves in this country, for several years before our Church was organized, is sufficient evidence to my mind, that he saw that nothing better could be done for the slaves, circumstanced as those owners were, than to hold, feed, protect, and govern them. While this state of things continued Mr. Wesley ordained a Bishop and two Elders for this country, sending them over to organize his preachers and societies into an Episcopal Church, at the same time appointing Mr. Asbury joint superintendent with Dr. Coke, when he

must have known, that many, both of his preachers and members in this country, held slaves." Again, "I have been severely condemned, for expressing an unwillingness, to put a resolution to vote, in an Annual Conference, tending to censure our brethren in the South, for doing the same thing which Mr. Wesley allowed their fathers to do, when in connection with him, and when, also, he possessed the full power to prevent their doing so, or to expel them." Methodist Societies were formed in the West Indies about the time they were in the United States, and Bishop H. remarks, "they were under Mr. Wesley's superintendence, and from the best information I have been able to obtain, slave owners were admitted into those Societies. Mr. Wesley believed St. Paul permitted Philemon to be a member of the Church at Colosse, *while he held Onesimus a slave.* That Dr. A. Clarke, Mr. Benson, Dr. Coke, and Mr. Watson also believed that the *Apostles permitted slave owners* in peculiar circumstances, to be members of the Church of Christ, is a fact too plainly declared in their writings, to admit of a doubt. These authors must have believed, that the Apostles knew, that the christians of their day were under such laws or circumstances, that the only thing such of them as held slaves could possibly do for them, according to our Lord's rule, was to hold, protect, feed, and govern them. They all believed that in some circumstances, men might own slaves and yet be christians. Though the Methodist Episcopal Church always permitted slave owners to remain in her communion, where they could not put away their slaves without violating the Saviour's rule, she labored hard and long, by various rules and resolutions, and other efforts, all within the great principles above laid down, to prepare the way for, and finally to accomplish a universal emancipation, especially in the Church. But she found, the more she exerted herself on this subject, the more hindrances were thrown in her way, by legal enactments, popular excitements, and by persecution. She found that, by trying to release the bodies of the slaves, she was hindered from using the means to save their souls, and that instead of removing their burdens, she was made the occasion of increasing them. The Church found herself driven to this alternative, either to cease using *direct* means to accomplish universal emancipation, or abandon the largest portion of the Southern country." That is, the Church was driven to compromise, as the only possible mode of doing any thing to accomplish the object it had in view. Bishop H. says, "she determined to do all in her power, to save both slave and master. By these" (compromise,) "measures, the Church has held a powerful influence over thousands of both colors—she has prevented a vast amount of injuries, which otherwise," (without such compromise,) "would have been inflicted on the poor slaves. The civil government of that country, (the South,) is not in the hands of the Methodists, and further, if they were so disposed, to attempt to control it on this subject, would only hinder their great work, and bring heavier afflictions on "God's suffering poor." Let our Lord's rule be enforced, till the rulers and the great body of the people, of both colors, feel its influence, and then will the great Jubilee come, and it is my opinion, it will not come before, unless it be brought about by *war, blood, and revolution.* You cannot fail of perceiving, that I am on the ancient Methodist ground, in relation to this subject—the ground trodden by Wesley, Coke, Clarke, Benson, Watson, Asbury, Whatcoat, Garrettson, and many other wise and holy men, who now rest in Heaven." In review of the whole, the Bishop says of the Church, "she has changed her measures," (intending compromise,) "from time to time, as the changes of circumstances seemed to require, but never her principles." This is enough—we want no more.

This extract of manly and luminous statement and reasoning, from Bishop Hedding, is a true and living picture of "Methodism and slavery," and well worthy the attention of the whole Church; nor is there any thing in it, variant from the mass of opinion and

evidence, we have submitted from the standard writers, the Bishops, and the General Conferences of the Church. It is emphatically the doctrine of the Church, the creed of Methodism respecting slavery. It was upon the compromise principles of the Bishop's argument, that Dr. Coke became the owner of slaves, by actual and deliberate purchase, as superintendent, under Wesley, of the West India missions. It was too, in precise accordance with this general view of the subject, that the General Conference of 1840 said, "as emancipation, under such circumstances, (that is, in States where it is not practicable, so as to secure the enjoyment of liberty to the freed slave,) is not a requirement of Discipline, it cannot be made a condition of eligibility to office." None need be told, that contrary to this official assurance, the last General Conference did make emancipation, under the very circumstances described, a necessary condition of such eligibility. Again, the Conference says, "an appeal to the policy and practice of the Church, for fifty years past, will show incontestibly, that whatever may have been the convictions of the Church, with regard to this great evil, the nature and tendency of the system of slavery, it has never insisted upon emancipation, in contravention of civil authority, and it therefore appears to be a well settled and long established principle, in the polity of the Church, that *no ecclesiastical* disabilities are intended to ensue, either to the ministers or members of the Church, *in those States* where the civil authority *forbids* emancipation." In relation to this grave decision of the General Conference, who can help seeing that the General Conference of 1844, directly contradicted, contravened and laid it aside, while *ecclesiastical disability*, under the precise circumstances excepted, was officially decreed. Thus proving, as charged by the Protest, that the good faith of the General Conference of May last, is placed in a very questionable point of view, in the cases of both Harding and Bishop Andrew. The General Conference of 1840 declares further, "that in the Discipline, we have two distinct classes of legislative provision, in relation to slavery, the one applying to owners of slaves, where emancipation is practicable, consistently with the safety and interest of masters and slaves, and the other, where it is impracticable, without endangering such safety and these interests, on the part of both. In the latter case *no disability attaches on the ground of slavery*, because the disability attaching in other cases, is *here removed* by special provision of law." Contrast this declaration with the action of the late General Conference, and that action will be found, a direct violation of an *express guaranty* by the highest authority of the Church. The same General Conference continues, "may not the principles and causes, giving birth to great moral and political systems or institutions, be regarded as evil, even essentially evil, in every *primary* aspect of the subject, without the implication of moral obliquity, on the part of those involuntarily connected with such systems and institutions, and providentially involved in their operation and consequences? May not a system of this kind, be jealously regarded, as in itself more or less inconsistent with natural right and moral rectitude, without the imputation of guilt, and derelict motive, in the instance of those, who without any choice or purpose of their own, are necessarily subjected to its influence and sway?" And if so, in the case of slavery in the United States, what but a compromise course can be pursued by the Church, without a direct invasion of civil and religious rights, growing out of long established relations, consecrated by the sanctities of conventional adjustment in the great national compact?

About the mere term compromise, I am not disposed to contend—in fact care nothing about it. It was used in the Protest as typing the truth of history, and so used we yield nothing assumed in the Protest. The use of the term may not have been familiar in the North. But that it has been in familiar use, among well informed Methodist

preachers and laymen in the South, for a long term of years, I know to be the fact, and certainly did not know, when the Protest was written, that this was not the case in the North. I had heard it used, as I have shown, for more than thirty years, by fathers and leaders of the Church; and not dreaming that either the term, or the fact it was used to type, would be questioned in any quarter, it was used without consultation with any one. To what purpose, and with what claim to historical correctness, the question has been mooted by the Reply, and in one or more of the Northern papers of the Church, let those concerned determine at their leisure. A Northern man who was in the General Conferences of 1796, 1800, 1804, and 1808, says, in a letter before me, "when we met in General Conference, *May* 1808, and the report came from the South, what great injury had been done to the progress of religion among the slaves and the free, the *North and South mutually agreed* to compromise on that subject, and every thing relating to the question of slavery, (as to private members,) was stricken from the Discipline, and each Annual Conference authorized to form its own rules and regulations on the subject of slavery," (in relation to the preachers.) "Why the compromise of 1808, was ever violated, or by what influence the right of each Annual Conference was taken away, I am not able to say. The course pursued from 1812 to 1844, comes within your own knowledge."

Another member of all the General Conferences from 1796 to 1808, says, in a letter with reference to the legislation of 1804, and an attempt to adjust the difficulties of the Church on the Slavery question, "we got the compromise act passed:" and, again, "the compromise act passed at that time, I think was sufficient to satisfy every one upon the subject, North and South." Another member of every General Conference from 1796 to 1812, and who sides with the North in this controversy, remarks, in a letter received from him, "as to the conservative rules, I have no recollection when they were *not;* for what else could we do? We had no right to make rules in opposition to the laws. As to its being middle ground, on which the North and South met, by way of compromise, I always thought it ground on which we met *of necessity*, not choice." Still they met there, and the fact of compromise is admitted. Another says, "surely it is manifest that the whole course of our legislation on Slavery has been a compromise. The constant effort, indeed, from the beginning, has been to establish and enforce the Old England and New England doctrine and practice of abolition ; but it was ever found to be impracticable, and while *abandoned in practice*, it was still contrived to keep on record the testimony of that creed." No comment is necessary to show the value of such proofs, as establishing the main position of the Protest on this topic. These men speak of different compromise acts, and the Protest assumes these different acts, often changed and modified from 1800, but especially 1804 to 1816, as constituting, *in sum*, the compromise law of the Church on Slavery. The reasons of the legislation, to which these men allude, are distinctly recognized by the General Conference of 1840. "It must be expected that great variety of opinions and diversity of conviction and feeling will be found to exist in relation to slavery, and most urgently call for the exercise of mutual forbearance and reciprocal good will on the part of all concerned." With opinions so variant, and conviction and feeling so diverse, how can men live and act together in peace and unity, unless upon the ground of compromise?

Before dismissing the topic of compromise, we have other important views to submit on the subject. We maintain, that the moral character of slavery in the United States connects, essentially, with its civil and political aspects and relations, and that apart from the latter, the former cannot be justly conceived of. Every where in the Bible, and it is brought to view directly or allusively in hundreds of instances, slavery is re-

garded as a *civil* regulation, and all ecclesiastical interference should treat it as such. In the United States, slavery is mixed up with organic State relations, and involves original jural rights. These relations and rights are ordained and declared by the Constitution creating the Government of the United States, to be both Federal and National, pertaining in part to the States confederating, and partly to the Nation, as composed of the contracting parties. The rights arising out of the relations in question, as it respects Slavery, are, by constitutional arrangement, under the protection of the federal power and supreme law of the Nation, and any citizen, or association of citizens, invading these, in any form, or so acting as to reduce their force or value, is, incontestibly, guilty of a civil, and we maintain by consequence, a moral trespass. By the compact of the constitution, slavery is made an integral part of the basis of Federal and National representation, and this as much by the act of the North as the South. Against their wishes and remonstrances, especially Virginia and Georgia, it was introduced into the Colonies under the high sanction of British Law. It is strictly and essentially of jural origin in the United States, and based in the government of the country upon the legislation of National Sovereignty. It is an accredited principle—a well known condition of the national compact, without which it is equally well known no Union of the States, North and South, would or could have taken place. Slavery is only provincial in view of geographical locality; in all its more important aspects it is Federal and National in its relations and bearings. Viewing the North and South, as each a collection of States, they have long existed distinct historical parties on the subject of slavery—parties by constitutional and legislative arrangement—parties by compacts of law, and different and opposite judicial determinations proceeding upon them: each legislating about the negro, slave and free, not only in diverse, but antagonist directions—opposed more or less in interest, feeling, policy and purpose; and is it supposed that the Methodist Episcopal Church could diffuse her influence, and marshal her 500,000 ministers and members on either side of the line without the *existence*, if not formal organization, of parties? The conflicts in every General Conference since 1792, prove the existence of such parties in the Church; and their separate principles have been developed and modified, from time to time, by various forms of repeated practical application, until they have expanded, North and South, into something like distinct systems, involving belief and feeling, strong and tenacious, and deeply interwoven with the practical life and social existence of the people. It has been a result as proper as it was natural and necessary, that the Church, in each of these great national sections, has not been arrayed against the policy of the State, but more or less conformed to it. In the Methodist Church, the parties in question have always been distinguished by other characteristics than those already mentioned. The Northern division of the Church has been, to a great extent, a *movement party*, while the Southern has been stationary and conservative. That the South has been most impulsive and excitable, is admitted. They have an interest at stake, not felt in the North. But that the South has ever attempted agitation, or engaged in discussion or controversy on the subject of slavery, except in self-defence, or when assailed from some quarter, will hardly be assumed by any one. In the history of attempts at legislative change, it will be found that nearly every proposition for new and further interference has come from the North, while the South has generally simply resisted. The North has proceeded from one extreme and extravagance to another, in the denunciation of slavery as a wrong, an evil; the South admitting and feeling it to be an evil, entailed upon them by the ancestral governments of the country, and asking for a remedy that would not be a greater evil. Meanwile, Southern Methodism has done, even for the *freedom* of the negro, a thousand fold more

than Northern, beside what has been done for the earthly comfort and final happiness of the slave, as such. The Church, like the State, has always presented dual antagonistic forces—different primitive types of action, North and South, on the subject of Slavery, and until lately, a third force or type distinct from each, but partaking more or less of the character of both, has come in as a bond of mediation and intercourse between the two, and holding both in check, has given vigour and balance to the social organization. But this third conservative power having coalesced with the more extreme Northern party, not as abolitionists, it may be, but acting with them as a common force or party against the South, the equilibrium is destroyed, and the necessity of separation has been unequivocally avowed by both parties in General Conference assembled. It is admitted as a general rule, as it regards State relations, that the North has ostensibly acted upon the principle and policy of concession toward the South respecting slavery; but this was originally for a bonus consideration—was matter of Federal contract, without which the South would not have confederated at all. Did the North concede to the South? So did the South to the North, which found its indemnity in Southern concession in relation to navigation and commerce, and the provisional right of direct taxation, in view of the National revenue. If it be said this latter right has rarely been asserted, still it does not affect the argument, for the North has had greatly more than its equivalent in other respects, especially in the preferred advantages of the tariff arrangements of the government and country, ever since the adoption of the constitution, so that the North has fully realized its own price for the concessions purchased by the South in regard to slavery, of which we are so often and sometimes not very graciously reminded.

When, therefore, it is recollected that every fraction of concession we have had from the North, is in redemption of a conventional pledge, the primary conditions of which have been realized to the letter, by the North, the obligations of the South may appear the less oppressive, as the North refused all concession that did not tend, directly or indirectly, to promote Northern interest. In view of this compromise arrangement, the North and South are mutually bound to compliance with the stipulations specified, and unless the North pursue a course in relation to slavery, tending to damage Southern interest, the South is certainly bound, in honor and good faith, to do nothing in any way calculated to reduce the value of what was offered, as an equivalent for Northern concession in relation to Southern slavery. And as this matter is vitally connected with the more cardinal bearings of the present controversy, it may be proper to examine the subject a little more at length.

The abolition of slavery in Pennsylvania took place in 1780, and other portions of the North were strongly inclined, from various reasons, to a similar course. The abolition movements of England, about this time, in connection with the excitement and movement in Pennsylvania, and further North, operated as motives—as inducements, with the English Methodist Preachers, recently come to this country, to agitate the question in the infant societies they had raised, and of course controlled; and, accordingly, in the first year of Pennsylvania abolition, we have the *first rule on Slavery* among the Methodists in Europe or America, religious zeal being quickened by the political excitement and agitation of the times. A very dissimilar state of things existing at the time, in the South, from that in Pennsylvania and the North generally; the movement was resisted there, alike by Church and State, and hence the formation of parties in both, which have continued ever since.

Robinson on "Slavery and the Constitution," remarks, that "at the time of the Federal Convention, 1787, the experience of the States South of Pennsylvania, was such as

to produce distrust of their Northern brethren, as to the safety of their property in slaves." Rawle on the Constitution, referring to the same period, observes, "it was no easy task to reconcile the local interests and discordant prepossessions of the different sections of the United States, but the business was accomplished by acts of *concession* and mutual condescension." Mr. Madison says, "the Convention found difficulties not to be described. Mutual deference and *concession* were absolutely necessary. Had they been inflexibly tenacious of their individual opinions, they would never have concurred; it was difficult, extremely difficult, to agree to any general system. Without it, (concession as to slave property,) the Southern States never would have entered into the Union of America." Defending the compromise of the Constitution, Governor Randolph says, "the Southern States conceived their property (in slaves) to be secure by this arrangement." Patrick Henry, arguing the necessity of a constitutional guaranty to bind the North, states "a decided majority of the States—of Congress—is North—the slaves are South." Chief Justice Tighlman, of Pennsylvania, in a decision of the Supreme Court of that State, says, "whatever may be our private opinions on the subject of slavery, it is well known that our Southern brethren would not have consented to become parties to the Constitution, unless their property in slaves had been secured." Chancellor Kent, speaking of this constitutional arrangement, observes, "it was the result of necessity, and grew out of the fact of the existence of slavery in a portion of our country. The evil has been of too long standing, and is too extensive and too deep rooted to be speedily eradicated, or even to be discussed without great judgment and discretion." The Hon. H. Clay stated, in debate in the Senate of the United States, "the Constitution of the United States never could have been formed upon the principle of investing the General Government with authority to abolish the institution of slavery at pleasure. It never can be continued for a single day, if the exercise of such power be assumed or usurped." Speaking of the general subject of slavery, as sanctioned by the Federal Constitution, the American Quarterly Review says, "the slave holding States (alone) have the right, the power, and the capacity to apply the remedy."

The whole current of political and judicial opinion, in the entire history of the government, treats the subject as originally adjusted, and only susceptible of being managed by compromise. The Hon. D. Webster asks, "if we begin to disturb *the balance* of power, (on the subject of slavery,) where shall we stop?" Justice Shaw, of Massachusetts, says, "the Constitution of the United States partakes both of the nature of a treaty and of the form of a government. Before the adoption of the Constitution, the States were, to a certain extent, sovereign and independent, and were in a condition to settle the terms on which they would form a more perfect union. The constitution of the United States regards the States, to a certain extent, as sovereign and independent communities, with full powers to make their own laws and regulate their own policy, and fixes the terms upon which their intercourse with each other shall be conducted. Slavery is not contrary to the law of nations. The Constitution affords effectual security to the owners of slaves. The States have a plenary power to make all laws necessary for the regulation of slavery, and the rights of slave owners, while the slaves remain within their territorial limits." Every Northern man, every abolitionist even, wherever found, as a citizen of the United States, is a party in solemn and public treaty with every Southern man—every slaveholder—as the other party, not to disturb the right of property in this respect, nor in any way thwart the intended purposes of its constitutional guaranty; and by how far this may be done, by so far the obligations of good faith and citizenship are not only departed from, but violated. Justice Story says, "the slave

holding States insisted on a representation strictly according to numbers; the non-slaveholding States contended for a representation according to the number of free persons only. The controversy was full of excitement, and was maintained with so much obstinacy on each side, that the Convention was more than once on the eve of dissolution. At length the present system was adopted by way of compromise; it was a necessary concession to the spirit of conciliation on which the Union was founded. Viewed as a measure of compromise, it is entitled to great praise." And certainly those who fail to act upon it, (whether in or out of the Church,) are entitled to great blame. The Hon. Edward Everett says, "it was deemed a point of the highest policy, by the non-slaveholding States, notwithstanding the existence of slavery in their sister States, to enter with them into the present Union, on the basis of the constitutional compact. That no union could have been formed on any other basis, is a fact of historical notoriety, and it is asserted in terms by Gen. Hamilton, in the reported debates of the New York Convention for adopting the Constitution. This compact expressly recognizes the existence of slavery, and concedes to the States where it prevails, the most important rights and privileges connected with it. Every thing that tends to disturb these relations, is at war with its spirit, and whatever, by direct or necessary operation is calculated to excite an insurrection among slaves, has been held, by highly respectable legal authority, an offence against the peace of the Commonwealth, which may be prosecuted as a misdemeanor at common law. Our Fathers, the Adamses, the Hancocks, and other eminent patriots of the Revolution, although fresh from the battles of liberty, and approaching the question as essentially an open one, deemed it, nevertheless, expedient to enter into a Union with our brothers of the slaveholding States, on the principle of forbearance and toleration on this subject." Dr. Frost says, "it was a compromise of conflicting interests."

Chief Justice Parker, of Massachusetts, holds the following language with regard to the slave holding States: "They might have kept aloof from the Constitution. That instrument was a compromise. It was a compact by which all are bound. We then entered into an agreement that slaves should be considered as property. Slavery would still have continued if no Constitution had been made." Chief Justice Robertson, alluding to the adjustment of the slavery question in the Constitution of the United States, says, "it was the subject of a sacred compromise, which it would be neither safe nor just for either party, without the other's consent, ever to disturb." Alluding to the same subject, the Edinburgh Review observes, "American Statesmen labored, from the first, under two great difficulties, against which they have struggled on, by compromise and evasion—we mean the questions arising out of slavery, &c." Chief Justice Jay confirms the general opinion, "the Convention who formed and recommended the new Constitution, had an arduous task to perform, especially as local interests, and, in some measure, local prejudices were to be accommodated. Several of the States conceived that restraints on slavery might be too rapid, to consist with their particular circumstances, and the importance of union rendered it necessary that their wishes on that head should, in some degree, be gratified." How they were consulted, and what adjustment took place, we have seen. Alluding to this topic, the Rev. Mr. Freeman, of the North, remarks, of the compromise of the Constitution, "it concerns rights of property secured by the Federal compact, upon which our liberties mainly depend. It is a part of the collection of political rights, the least invasion of any one of which would, of course, impair the tenure by which every other is held. When the Federal compact was formed, the entire abolition of slavery was a favorite object with many, but they knew that this or the Union must be surrendered. They had no alternative but to leave it as they

found it existing in the South, or fail of the great desideratum of a Union of the States. The legal construction is, that the South, who hold slaves, retain the right of exclusive regulation over them; which right the United States cannot touch." He adds, "any measures, on our part, of a coercive nature, or calculated to disturb the domestic arrangements of the South, would be a violation of our political contract, and of good faith. Whatever we do, should be so done as not to put in jeopardy the peace of the slave holding States. It is not enough to say that the Constitution is violated by any action endangering the slave holding portion of our country—a higher law than the Constitution forbids this unholy interference." A judicious observer remarks, of the gradual abolition of slavery in the United States, "in undertaking a work of this magnitude, compromises will be found as necessary as they were in forming the Federal compact." An influential English Journal has recently attempted to prove, at length, that the "only barrier to general emancipation, in the United States, is the Federal Union, which defies alike humanity and reform." Testimonies to this effect might be multiplied indefinitely, but it cannot be necessary.

Such, then, is the true position of the North on this question, nor can they separate their moral from their civil relations, as parties to the Constitution: they are all, by deliberate consent, connected with slavery, and if they get rid of it, without the consent of the Southern States, unless these shall violate the national compact, they get rid of truth, honor, and good character, at the same time. It is, too, a well understood principle of law and morality, in the construction of compromises, that the *temper* of the parties which led to compromise, remains one of its conditions; and either party offending, in this respect, violates an important obligation contracted in becoming a party. Let this be applied to the slavery question, and its application will be seen at once. Legislative contracts are common in all governments, having the force, sometimes, of treaty, and sometimes of compromise, and often both. That this is the character of the national compact, binding every citizen, church members as well as others, it would be worse than stupid to deny. That the result of all legislation in the Methodist Church, has been a standing *law of forbearance*, conformably to civil obligation, has been shown with equal clearness, thus showing that the compromise of the Protest has been the *household law* of the Church ever since the subsidence of the first abolition excitement, under the early English Preachers. Abstract law, involving compromise, can only be carried into effect by acts of kindness, and the ministry of the affections, without which it is a lifeless text, unexplained by living example, and must fail to accomplish the purposes of its enactment. This view of the subject applies equally to North and South, and should be well considered by both.

It has been repeatedly decided, and is a commonly received truth, both in common law and equity jurisprudence, that a simple decree, in form of law, may be proved a treaty compact or compromise, by showing the original relative position of the parties interested, and the obvious indications of purpose and intention as inferable from the external circumstances, leading to the action assumed and admitted. Law, viewed in the light of reason, purpose, motive, should always be explained by the context; that is, the circumstances giving it birth. This is what the Protest meant by the reasons of law, instead of the strange misconceptions of the Reply. In abatement of the force of this reasoning, it has been urged, with some show of plausibility, that, mixed up with the compromises of the Constitution, was the conventional understanding, that the South should address itself to the work of emancipation, after 1808, as it had not done before. In reply to this, three facts are especially worthy of notice. 1st, A permanent provision of the Constitution contemplates and authorizes a different result. 2d,

What is assumed, was long and tenaciously exacted as a condition of Union, and peremptorily refused by the South, whether in whole or in part—the South refusing to confederate, unless the control of the difficulty should be left to the States directly involved in it, without the right of other States to interfere in any way. But, 3d, It is well known that a large portion of the South were favorable to gradual emancipation, provided any disposition could be made of the free black population, consistent with the welfare of the States giving them freedom. It was early ascertained, however, that both the old and the new free States were inexorably resolved to exclude the free black population, as far as possible, from their limits, and throw the whole burden upon the South, although the slave trade of the North had been the principal means of filling the South with slavery; and this state of things imposed upon the South the necessity, and gave them the right, of managing this most difficult question in the best way they could, in view of the common welfare of all concerned.

On this subject, Mr. Webster remarks, "In my opinion the domestic slavery of the Southern States is a subject within the exclusive control of the States themselves, and this, I am sure, is the opinion of the North. Congress has no authority to interfere in the emancipation of slaves, or in the treatment of them, in any of the States. This was so resolved by the House of Representatives, when Congress sat in New York, in 1790, on the report of a committee consisting almost entirely of Northern members, and I do not know an instance of the expression of a different opinion, in either house of Congress, since. The servitude of so great a portion of the population of the South is undoubtedly regarded at the North as a great evil, political and moral, but it is regarded, nevertheless, as an evil, the remedy of which lies with those Legislatures, (Southern,) to be provided and applied according to their own sense of policy and duty." General Washington, in urging the adoption of the Federal Constitution, in view of a Union of the States, says, in language which should never be forgotten, "I do most solemnly believe that *this* or *dissolution* awaits us, and is the *only* alternative." Let this language of Washington be borne in mind, in connection with the fact, that the *reasons* and *necessity* which influenced the judgment of Washington, in 1787, have been *increasing in number and weight* ever since. Must not every person of ordinary discernment perceive that compromise is the great conservative principle of both the political and the social system in the United States, and so far as the Church or ecclesiastical legislation shall fail to conform to this principle of Union, the Church must be arrayed against the State, and hostile to its most vital interest, so far as these may be dependant upon such Union. The subject of slavery being, as all must admit, compromised in the Constitution of the United States, and all citizens of all the States, free and slave, being parties to the compromise, *all* law, and of course *any possible form* of ecclesiastical law, not in harmony with this arrangement, must infringe the guaranty of the great national compact. If it be said the Church is a voluntary association, with fixed conditions of membership, it does not affect the reasoning, for every such compact necessarily subject to the higher, is, in *itself unlawful*, unless in conformity with the greater over-riding it, and to which every citizen of the United States is a party. It is not intended to denounce the motives or conduct of those who may be opposed to the Constitution, in this respect, provided they do not resist its control, or seek to change it by improper means. But it is intended to say, that those who act so as to do the one or the other, cannot be regarded as good citizens. It is meant to say, that any attempt, by the Church, or ecclesiastical authority, to contravene civil law or invalidate civil rights, is not only without warrant from the Bible, but pours contempt upon the word of God, and the admitted obligations of the christian profession. Slavery in the

Southern States, viewed as limited confederating sovereignties, is local and provincial; but as it regards the Union of the States, it is Federal and National, by contract of the Constitution itself; and every essay, individual or social, by Church or State, to unsettle the compromise of that instrument, reduces the value, and endangers the perpetuity of the Union. And that large portions of the Methodist Episcopal Church are beginning to act no unconspicuous part in this respect, (however unintentionally,) is a prevalent opinion in the South, and when it is disavowed, let the *grounds of this opinion* be set aside by satisfactory evidence; and until this is done, all denial will be mere declamation.

Unless the national pledge of the Constitution, binding every citizen of the confederacy, is violated by the North, there is no likelihood of disturbance, or revolt by the slaves and free negroes of the South. If disturbance and revolt should take place, it will be upon direct or virtual invitation from the North; and that the North may have no reason or pretext for such a course, it greatly, imperatively, behooves the South not to withhold from the North, any consideration, claim, or indemnity, authorized by the compromise of the Constitution. I would invoke the South to cherish its honor and consult the interests of the whole Union in this respect. That general emancipation, if pressed upon us by the North, would lead to revolt and conflict, admits of no doubt. In the proportion, therefore, that individuals, political parties, or churches, shall lend themselves to a course of action calculated to bring about such a result, and the consequent disunion of these States, by aggression upon Southern rights, in the same proportion will history hold them accountable for the treason. It is a grave suggestion, and we ask that it may be gravely considered. If the North cannot proceed much further, without danger to the South, and the Methodist Episcopal Church, North, shall continue to encourage aggression, after the fashion of the late General Conference proceedings, and prior Methodist movements in the North, what must be considered the true attitude of the Church, with regard to her pledge in the Constitution of the United States, to say nothing of her own abused legislation on the subject? Who will fail to perceive, that, in retreating from the evil, by a peaceful separation of jurisdiction, the South are seeking to prevent an issue to which the North are pushing us with unrelenting purpose? We ask not the North to approve slavery. We do not ask them to cease warring against it, so far as such war may be protected by right. But we do ask the North to respect justice and good faith, in connection with the original compact, and subsequent compromises, binding the North and the South together as one great people. The fact will obtrude itself, as we proceed, upon the common sense of every reader, that the same specific reasons, calling for a compromise adjustment in our political, require it in our ecclesiastical relations, North and South; and the numerous proofs of this Review, drawn from a great variety of unrelated sources, will show that the result has been the same with regard to both. Accordingly, in the Methodist Episcopal Church, while the existing law, from time to time disapproved the system of slavery, it distinctly offered the *overture*, that, under specified circumstances, slave holding should not be urged in bar to any of the rights and privileges of the membership or ministry, and hence the compromise, so stoutly denied by the Reply. From the suggestive character of much of the reasoning we have introduced, the discerning reader will have perceived that the compromise argument of the Protest may be viewed with advantage to its evidence, in other points of light. Even the *common law of society*, regulating *social intercourse* between the North and the South, since the abolition of slavery in the former, has been one of compromise, without which, such intercourse must have been as unpleasant as limited and inconvenient. And how handsomely and generously this law has been acted upon, by the Storeys, the Websters, and the Everetts,

and intelligent thousands in the North, (upon whom, and their like in the South, depend the hopes of the country,) none need be told. It is *Religious Fanatics* and *Political Demagogues*, whose vandal abuse of the law of comity, between the North and the South, is working the ruin of our Constitutional Union. But again: all law is a contract, and *equivalence* of consideration is presumed to be the motive determining the parties, necessarily existing under every government, to consent and submission. Disturb, then, one of the contracting parties in the possession and use of the equivalent, always implied, so that expected advantage is not realized, and the result is a violation of contract, and an impairment of right.

Let this principle be applied, in the case of the Southern Methodist slave holder, say Harding or Bishop Andrew, with the legislation and assurances of the Church full in view, and can the conclusion be resisted, that the Church is disposed to meddle with rights and principles, guarantied by the stipulations of law, contrary to public assurances given by the Church? Justice Story says, "any law which *enlarges*, *abridges*, or in any manner *changes* the *intention* of the *parties*, (in contracts, whether of law or otherwise,) resulting, (by fair inference,) from the stipulations in the contract, necessarily *impairs* it." He adds: "a grant made by a State to a private individual, (and of course by a Church to a minister or member,) and accepted by him, is a *contract*. and cannot be revoked by any future law." So also, "a charter granted by the State to a company, is a contract, and equally binding to the State as to the grantee." Take now the "law," the "grant," the "charter," of the Methodist Episcopal Church, pledging that under circumstances specified, her Southern ministers and members, shall not be disturbed by the Church with regard to the slaves they may *so* hold, and compare it with the action and avowed policy of the Majority in this contest, and what is the inference? Apply the above well known principle of law and equity, to the contract character of the legislation of the Church on slavery, which is a *property* as well as a *moral* question, and will it not be seen, that the Protest on this subject, is but too full of truth and reason? We introduce, on this subject, for the purpose of proof and illustration, numerous analagous principles, facts, and cases, not merely to prove the doctrine of the Protest, but also to show, with what claim to candor and acquaintance with the subject, the Reply opposes to it the most confident denial. and treats the whole topic, as scarcely worthy even the sneer of superior information, with which it is dismissed. Having alluded to the *property* aspect of the question, it is not unworthy of notice here, that it would seem to have been the purpose of the Church, to give it *secular* and *civil*, rather than the high *moral* rank claimed for it, by the late General Conference, inasmuch as the section on slavery, in the Discipline, is excluded from the moral part of it, *where it was once found*, and comes in under the head of "Temporal Economy of the Methodist Episcopal Church," ostensibly at least, treating the subject as one involving *the legal relations of property*, and therefore not within the jurisdiction of ecclesiastical law. But that the Church has claimed, and continues to claim, the authority to interfere with the civil rights of her ministers, as it regards slave property, it is useless to deny, and the difficulty and delicacy of such claim, must always connect with the fact, that by special compact and deliberate compromise, in the Federal Constitution, such rights are placed beyond the reach of any kind of infringement, without an invasion of constitutional right. No other species of property in the nation, is in the same category. By this time perhaps, the reader will be pretty well prepared to decide upon the force of one of the principal positions of the Reply, that the warranted protection of the rights of slave holders, by the constitution and laws of the United States, and the States respectively where slavery exists, can be no ground of argument in this discussion. It

may be seen that while in some States the citizen is not, in others, as in Georgia, he is "required" to hold slaves—that instead of simply "allowing" a citizen to do so, whenever he becomes the owner of slaves, they throw about him legal *constraint* and *immunity*, at the same time.

Legislation upon the principle of mutual accommodation, has always been regarded as a legal compromise. The Reply admits a struggle in the Church for sixty years. No struggle of course, could exist without parties, and finally the parties meeting on ground, not the first choice of either, the result is compromise. Unable to see by means of the same optics, on the subject of slavery, how was it possible for the North and South to unite and co-operate, except on the ground of compromise? The very showing of the Reply, furnishes the premises from which, in part at least, the conclusion of the Protest is drawn. A slight examination of the Protest will show, that it was not intended to speak of any special statute or enactment, but of the purpose and spirit of general law, declared by special acts at different times, and adjudications had upon them as giving the character of a compromise to our legislation. All these, with their various relations, reasons and bearings, are brought in, in aggregation, and compromise is assumed as the result. In charging upon the Majority want of good faith, in disregarding this compromise, it is plain the Protest intended, and we still think most justly, to represent the law as a *declaration of trust*, the object of the trust created. being *the protection of character and right, under well defined circumstances*. But the Majority proceeded to *withdraw the protection* and *destroy the relief afforded by law*, and *instead of the protection and relief* pledged by law, actually *inflict the wrong* it was the purpose of the law to prevent. On the final legislation of the Church respecting slavery, Dr. Bangs says, "various enactments had been passed from one General Conference to another, with a view to *regulate the practice of slavery* in the Methodist Episcopal Church—an evil this, which it seemed impossible to *control*, much less to *eradicate* from the ranks of our Israel. From the organization of the Church in 1784, slavery had been pronounced an evil, and a variety of *expedients* had been resorted to for the purpose of lessening its deleterious tendencies, where it seemed unavoidably to exist. Finding, however, that the evil was *beyond the control of ecclesiastical law*, as to its eradication from the Church—the General Conference so modified the section in the Discipline on slavery, as to read"—as it now does. This is the faithful language of history, and gives a clear idea of the compromise action of the Church, in the management of this most impracticable difficulty. "Such may, through the force of circumstances, become the state of society, that great moral evils may be tolerated, where the conviction is clear, that acts of prohibition would produce evils far more extensive and far more to be deprecated. So damaged, or disordered, or complicate, by the practice or misfortunes of a former age, may become the very texture of society, and so peculiar the relations, which as a people we sustain to each other, that an immediate and entire correction of the evil, may be impracticable; and that, therefore, neither individuals nor society, are bound to attempt it."—*Plea for Africa*. "We do indeed tenderly sympathize with those portions of our Church and country, where the evil of slavery has been entailed upon them, where a great and the most virtuous part of the community, abhor slavery and wish its extermination, as sincerely as any others; but where the number of slaves, their ignorance and vicious habits generally, render an immediate and universal emancipation inconsistent alike with the safety and happiness of the master and slave."—*General Assembly Presbyterian Church*. The remedial compromise course recommended in these extracts, involves the principle intended to be protected by the law

of exception, as distinguished from that of the general rule, in section 10th of the Discipline.

The argument of the Reply, is without any semblance of pertinence or force, in all those cases coming under the provisional exception of the Discipline, that is, where emancipation is impracticable, without an evasion or violation of law, and these were the very cases to which the Reply was confined, by the premises of the argument. The laws of nearly all the Southern States, *forbid* emancipation; it is the *civil duty of the citizen not to attempt it;* and in many of the States, as in Georgia, severe penalties accompany the prohibition. Is this true of the absurd and offensive examples urged by the Majority as analagous? Does Southern law forbid the voluntary discontinuance of the theatre, the grog-shop, the card table, or race course? If not, what becomes of the sophistry by which it is gravely attempted to overthrow the reasoning of the Protest? Although the slave is not a citizen proper, yet the common denunciation that he is a mere chattel, &c., betrays alarming ignorance or want of candor. He is directly recognized as an *inhabitant*, and is represented as such in the National Legislature. He is an *inhabitant in charge*, under the *guardianship* of a citizen proper, and this civil relation is created and protected by the supreme and municipal law of this country. Both create an essential difference between property in slaves, and all other kinds of property, and hence the absurdity as well as injustice of the position above. Was it competent for a free and sovereign people, in organizing a government for themselves, to decide that they would have among them, by allowing them to remain, a class of human beings, introduced into the country without their agency, by subjecting them to the kind of *inhabitancy* just described? If yea, then what right has a Church to meddle with such civil arrangement? Is the right derived from their own *civil* relations? We have seen, that any original right they may have had, has been surrendered by contract. And what is their religious right? Before any can be established, they must first prove a right to resist civil authority, and also a right, secondly, to abolish the relation in question. If *nay*, be the answer—then the Church is in conflict with the government, and government, rather than the civil relation established by it, becomes the proper object of attack, and all interference with the subject is beginning to assume its legitimate character of opposition to government and civil authority. Great declamatory stress is laid upon the inconsistency of slavery, with the freedom and equality assumed in behalf of all men, in the Declaration of National Independence, and the high character and insulted shades of the signers of that instrument, are invoked in argument and declamation, against the allowableness of slavery as an element of the political organization. This Declaration was the noble deed of a noble band of patriots, and was considered as binding the nation, because the act of their representatives. It should not be forgotten however, that the same and kindred conscript fathers, were the authors of the Articles of Confederation and the Constitution of the United States, in both which, they acted upon the declared principle, that the people of the confederating States, could never become one nation, without a compromise, fixed and conclusive in its terms, on the subject of slavery, and the *whole people*, North as well as South, *ratified an arrangement to this effect.* Why such frequent and flippant appeals to the Declaration, never intended as a rule of action, to the utter disparagement of the Constitution, ordained as *the great rule of action with all concerned?* The Declaration commits the people to general principles only, the Constitution binds them to a given course of conduct. It is their own act, not that of their representatives merely. It is the covenant oath and witness of their national existence, honor, and safety; and the man who can violate this covenant stipulation, as elsewhere explained, under cover of

Church relationship, creed, conscience, or party organization, is an unworthy and dangerous citizen of the United States. And every Church attempting to control the question of slavery, upon any other than the compromise principle guarantied, *jure solemni*, by the whole people of the United States, is guilty of an attempt to unsettle a principle, upon the adjustment of which, the original fact of confederation turned exclusively; and such Church so acting, must prove dangerous to the union of the United States. The true doctrine of the Methodist Episcopal Church, as avowed and published up to the last General Conference, has been, that tolerating slavery, in the membership, she has required her ministers, in view of orders, to free themselves from slavery, if connected with it, where it could be done consistently with the laws, and the welfare of the liberated slave. Beyond this the Church has not gone. We have shown this to be, in substance, the opinion of the Bishops and of the General Conferences of 1836 and 1840, in their official addresses. Evidence to the same effect, has been brought to bear from a great variety of sources, all tending to present the legislation of the Church on the subject of slavery, in its true and proper light, as based upon the principles of conventional compromise in conformity with the civil compact between the North and the South. We have seen at every step, that there has been real and *bona fide* compromise, although nominal baptism to this effect, may have been wanting. We regard, too, the legislation of the Church, as we have exhibited it, not only as rational and safe, but as much more accordant with the Scriptures, than the plans and projects to which it stands opposed. If we survey the entire aspect, in which the whole subject is presented in the Scriptures of the Old and New Testaments; if we turn to the fathers of the first four centuries of the christian era, as likely to reflect in their writings, the decisions of Inspiration in the case; if we take the occasional notices of profane history on the subject; it will be seen, that while the moral code of Judaism and the genius of christianity may stand opposed to slavery, as one of the many forms of civil oppression, and inconsistent with our conceptions of natural right, and the promised regeneration of human society, there is, nevertheless, in all these records, a distinct recognition of the jural origin of slavery, and its necessary connection with civil polity, and we no where, in any of them, meet with the language of denunciation and overthrow, with regard to it. There is no attempt to alter or disturb the relation, but simply to prescribe and inculcate the duties arising out of it, and revealing the retributions consequent upon any and every abuse of it. Indeed the whole subject as discussed by christianity and managed by the primitive Church, is presented as one, not to be *controlled* or *disposed of* by either, except in due subordination to the civil authority, and the regulations of law, in which it has its origin. And in this great primary fact, we see, in principle, the true prototype of the conflict of laws, and consequent compromise treatment of the question, about which we have had occasion to say so much. Contrast this with any true picture of modern abolition and anti-slavery, and in what do they agree? Heaven and Hell are scarcely less resembling. The one is a quiet garden scene, the other a stormy Pontus, "casting up mire and dirt." In connection with the general argument of the preceding pages, it is important to call attention again to the judgment of the General Conference of 1840. At this Conference two large committees were appointed on slavery and abolition, one the usual standing committee, consisting of a member from each Annual Conference, the other a special committee of nine members of the body, upon the well understood controversy, known as the "Westmoreland case." In addition to the matters referred to this latter committee, by resolution of the Conference, the committee were respectfully requested, by all the *Bishops in council*, when it was ascertained that the general committee did not intend to do so, to pre-

sent *a full and analytical view of the whole law of the Church on slavery*, particularly in relation to the rights of the different grades of the ministry, as affected by slave holding, so that all discordant views and discrepancies in administration might, if possible, be conclusively adjusted and settled, by authority of the General Conference, and the committee had this specific object in view, in making the elaborate report from which we have already made several extracts. The report was adopted with great unanimity, in fact without a negative voice in the body. This report was looked to as settling the difficulties it was intended to remove, and was fully relied upon by the South, as securing all they desired in the premises. The decision of the General Conference, to which we ask attention, is too precise and unmistakable in language and meaning, to admit of misconstruction, without an intention to deceive. "While the *general* rule (law,) on the subject of slavery, relating to those States, whose laws admit of emancipation, and permit the liberated slave to enjoy freedom, should be firmly and constantly enforced, the *exception* to the general rule, (law,) applying to those States where emancipation, as defined above, is not practicable, should be *recognized and protected*, with equal *firmness and impartiality*." "*Therefore*,

"*Resolved by the several Annual Conferences in General Conference assembled, That under the* PROVISIONAL EXCEPTION *of the general rule (law,) of the Church, on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in States or Territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes* NO LEGAL BARRIER *to the election or ordination of ministers, to the* VARIOUS GRADES OF OFFICE, *known in the ministry of the Methodist Episcopal Church, and cannot, therefore, be considered as operating* ANY FORFEITURE *of right, in view of such election and ordination.*" Here is a solemn declaration, to the Church and the world, explanatory of an existing law, by the supreme judicial authority of the Church, gravely announcing, that simple slave holding or ownership of slaves, in States and Territories where emancipation is not practicable, and the liberated slave not allowed to enjoy freedom, is not, in any way, a legal barrier to election and ordination, and cannot operate any forfeiture of right, on the part of *any minister* of *any grade*, (Deacon, Elder or Bishop,) in the Methodist Episcopal Church. And yet Drs. Durbin, Peck, and Elliott, as solemnly declare, that the Church has always let it be known that slave holding, even under the provisional exception of the law, would, in the case of Bishops, operate the forfeiture of right, which the General Conference stipulates, by formal decision, *shall not take place*, in the instance of *any* grade of ministers. And accordingly, without any change of the law, and in the very face of the above declaration of right, the last General Conference did, directly and outrightly, and under the precise circumstances specified, as rendering such action impossible, what the publicly pledged faith of the Church had said, four years before, should not be done. Whether this amounts to the want of good faith, assumed in the Protest, let the good sense and upright feeling of the Church and world determine.

Let us now turn to the back ground of the picture.

It is more than two hundred years since the introduction of slavery into this country, under the exclusive direction of the British government. The colonies had no will or agency in bringing about this result, and it is a well known fact, that it was in contravention of their wishes. During this entire term, slaves have been recognized and held as property, under all the forms of government known to the country, and the *Church* should not forget, that it was the *christian* governments of Europe, in the 16th and 17th centuries, by which slavery, as a civil and domestic institution, was re-introduced and re-established among civilized nations, after its nominal abolition among the Wes-

tern Gothic nations of that continent. And the christian European powers did, too, what had never been done before; they restricted the doom of servitude to a single particular race, and linked the destinies of slavery, in the system they established, with the *negro family*. That it was an outrage, is felt and admitted by all. That all have a right to seek the removal of the evil, is as readily admitted. It is, however, so interwoven with the very existence and life blood of a large portion of society, in this country, that it has long been a desideratum *how this can be done, without the introduction of greater evils*. We have seen that the people of the non-slave holding States, have no right to attempt to control the question, in any form. Their right to appeal and remonstrance, provided they do not resort to means calculated to agitate and excite, and thus inflict direct injury upon the South, is not denied, it is believed, in any quarter. As a right of comity, it is admitted. All attempts, however, to compel or force the South, by exciting the popular mind, trying to produce disaffection among slaves, and so disturbing the social system, as to impair the value of conceded rights, and endanger the common welfare, are *barred by the Constitution*, and will always meet with prompt and determined resistance from the South. But further, however it may be regretted, it cannot be disguised, that negro slavery now exists, connected with reputed inferiority of race, and the incurable disability of color, and both tending, however unreasonably or unjustly, to perpetuate the evil. Unhappily in the enslavement of the negro, the worse than misfortune, the universal ignominy of color, adds to the hardship of servitude, and becomes a part of his evil destiny, even where that servitude is exchanged for nominal freedom. In this melancholy state of things, the outrage upon natural right, which all slavery implies, is made to derive countenance and support from nature herself, for it is but too true, that hitherto, all races of men in all time, have united, however wrongfully, in decreeing to the negro a separate social condition, and by consequence, destiny. Even when mixed up with other races, the negro has not been allowed to mingle. And it is a very singular fact, that the English, whether in Europe or America, have cherished the principle of exclusion, to which we allude, beyond any other race known in history.

Slavery at one time, was general throughout the colonies and afterwards States. But there were physical and invincible reasons in the North, why slavery should not obtain there, in the way and to the extent it did South. It was introduced and tried, but did not *work well*. The severity of the climate, poverty of the soil, and a necessary appeal, at an early date to manufactures and commerce as the staple pursuits of productive enterprise, and to which slave labor was found inapplicable, all tended to expel slavery from the North. The slave was soon found to be a bad bargain, upon the hands of the shrewd producer. The constant influx too, of European adventurers, English, Irish, Scotch, Dutch, Swiss, and so of the rest, filling up the North to avoid competition with the more regular system of slave labor South, soon rendered Northern slave labor unprofitable, by the superiority and greater cheapness of free labor, so that the political economy of the North alone, was quite sufficient to either emancipate the Northern negro, or send him a slave to the South. It was the interest and policy of the North, to get rid of the negro. It was a speculation worthy of Northern sagacity. Not so with the South. As early as the first instance of Northern abolition, the slave question was one of life and death with the South. It was then and continues to be, vitally connected with the tenure by which life is held. and the order of society maintained. The greater value of the slave South, had been a centripetal force gradually attracting the slave from the North, for a long term of years, until when emancipation began, there was found but a small number to be got rid off. Their sale to Southern purchasers, had greatly

thinned the North of slaves as "unprofitable servants," and prepared the way for the emancipation of the balance. Northern humanity, which forbade the sale of the negro within the limits of Northern States, did not forbid his transportation and sale in the South, and to this process, the North owes a large share of its boasted freedom from slavery. Reasons have always existed in the South, both for the introduction and continuance of slavery, which never existed in the North, and it was as much the interest of the North to abolish slavery, as it was of the South to retain it. It was a business arrangement, resulting from motives of interest and policy with both, the South having the additional plea of its own safety to urge in the case. The North knew that to abolish slavery, was to banish the negro. The South knew that to abolish slavery, was to turn the negro loose, in countless numbers, without restraint or control. Its abolition North presented no danger, then or in prospect; but it is admitted on all hands, that its abolition South, at any time, for at least sixty years past, would have been attended with the most imminent danger. Even were the Southern States to try the experiment of keeping in slavery the present generation, while making legal provision for the freedom of the next, it would establish a principle, in the view of the mass of slaves, which would give birth to an amount of impatience and irritation, endangering the safety of the whole South. What was safe and laudable in the North, would have been suicidal and ruinous in the South. The inutility of slavery mingled with and strengthened the religious convictions of the North. One of the fundamental principles of all slavery, the interest of the master, was attacked in the North, and made its appropriate impression. During all this period, however, emancipation in the South, without the removal of the negro, would have been, not *Southern* but *National* madness, for it would only have disposed and prepared the two races for mutual destruction. Any state of things, tending to disturb the existing relations between the races in the South, and which does not at the same time, contemplate the removal of one, must tend to the destruction of one or both of them. Since the foundation of society, the white and black races have never co-existed, under the same government on equal footing, and never can. If the two races, as is entirely certain, cannot mingle, they must, as it regards equality of intercourse, wholly separate, and where the number of blacks is considerable, such separation without removal is impossible, except in a state of slavery or civil discord. The whole order of society in the United States, must be first subverted and then re-modeled, before the negro can, by possibility, derive and enjoy the same benefits of society with the white man. It is incontestibly true of the whole North, from Maine to Illinois, that in the proportion the legal distinctions between the white man and negro are abolished, new barriers to any thing like equality of intercourse, are studiously thrown up by the white population, by means of which, the negro is re-enslaved, and more hopelessly doomed, to all the disadvantages of both *caste* and *condition*. The whole course of the North, for half a century, proclaims their purpose and policy, not to mingle with the negro, and yet they are incessantly pursuing a course, the object of which is to compel the South to mingle with them, for this the South must do in some form, or else keep them in slavery, unless they can be removed. The repugnance of which we speak, is invincible. Nature, not less than the habit and the associations of ages, has established visible and indelible signs and reasons of separation. If we subdue and overcome the mere fact of servitude, the evil remains, as it regards the actual condition and welfare of the negro, and in most instances is increased beyond estimation. Wherever they are found, the free negroes of this country are deprived of all the more important privileges of social humanity, and are literally suffering a debasement, in every thing except the name, worse than slavery. At every con-

tact with society they are repulsed and put down. Their very color renders them alien to all about them—to every other race. They have no country, and unprepared by their previous destiny to obey the voice and submit to the dictates of law and reason, few of them act as though they had any property in themselves. Thousands of them perish annually for want of the protection and supply realized in a state of slavery. After an experiment of fifty years in the North, no elevation of the negro character, no improvement of their condition has taken place. As slavery recedes the prejudice against the negro increases. All the non-slave holding States, and especially those where slavery has never existed, are intolerant even of the presence of the negro. Look at the impartial humanity of Ohio and other *free* States, whose laws exclude not only the slave but the "free and equal" negro, and deny him not merely the right of holding property but even of residence. It is unlawful for any citizen of Ohio to employ a negro (*free* of course,) to do a day's work to keep him from starving, unless he shall have first given security, both for maintainance and good behavior. The whole movement of the North—the entire policy of the free States, has been a system of death to the negro.

In their miserable freedom, so called, they have died at the rate of two to one, in a state of slavery. Interest or humanity may abolish abstract slavery, but the interposition of omnipotence seems necessary to relieve the negro from the weight of disabilities beneath which he is crushed. The declaration of his freedom is a fraud in every State of this Union. Both prejudice and law proclaim it impossible, in the existing state of things. The ordinary eligibilities of citizenship are no where his. The white man and the negro may not separate, as to the "bounds of habitation," but they do not, cannot combine. They may be together, but to mingle is impossible. The distinction, for example, as it relates to color alone, appears so founded in an invincible law of nature, that in no instance, in the history of civilization, has it yielded to the influence of circumstances. This may be all and utterly wrong; our business is with the fact only. Kindred reasons and arguments may be multiplied indefinitely. Disproportionate, inadequate compensation for labor, is assumed as a fundamental element—one of the chief disadvantages of slavery, and it is an argument principally relied upon by abolitionists, of every sect and color, and yet it is susceptible of the clearest demonstration, that the slave of the South, (in an annual estimate,) gets more than the free negro of the North; and, by the showing of the Northern argument, is less a slave. Every victim of injustice is a slave, and such is the negro every where in the North. Crushed by the indirect tyranny of law, and the intolerance of public opinion, he is the miserable victim of all kinds of injustice and hardship. And what must be the sober decision of history with regard to those who pity the negro until he becomes free, and then starve him to death? The mooted question of negro rights and worth, and his title to Northern sympathy and protection, are dropped the moment the negro becomes free, and appeals to the Northern *court of errors* for the promised boon of equal, social and political rights. Notwithstanding all the paraded humanity of the North on the subject, *no actual abolition of slavery has ever taken place in the United States.* The proclamation to this effect is an *imposition* upon the civilized world. The servitude of the negro, and the injustice and hardship of his lot have merely *changed* their form. The legal principle of slavery is abolished in the North, but all New England, New York, Pennsylvania, Ohio, &c., do not contain a single negro who is free, in the sense of the Declaration of American Independence—not one. No where does the negro meet the white man—no where is he met by him upon terms of equality. There is no civil, social, domestic, or even religious intercommunity of enjoyment or suffering. They are deprived of the most

important rights of mankind. Both by law and public opinion they are condemned to hereditary degradation and misery. Their liberty is a lie and a cheat. In what do they find themselves free, except to be neglected, scorned, and trodden under foot. Prejudice, manners and custom, turn aside and bear down the fruitless provisions of legislation. There is that constituently interwoven with the popular feeling of the American people, in relation to the unfortunate negro, which law can never efface. It is even true, that the prejudice against the negro increases with the progress of emancipation. Take any of the Northern States—that which nearest approaches the Utopia of modern abolitionism, and notwithstanding the affranchisement of the negro in law, if a white person marry a negro, *infamy* is the result. Free negroes, with very few exceptions as to places, dare not avail themselves of the right of suffrage, even where it is allowed. They are no where credible witnesses against white persons—(the attempt of the late General Conference to make them such, notwithstanding.) There is not a State in this Union where a negro is essentially an equal party in an action at law. Where is the negro admitted as equal peer and compatriot with the white man? Where is juror, judge, or counsellor? Is there any office of trust or honor to which he is eligible? What school receives the two races together, without being placed under public ban? Can the negro's money procure him a seat at the Theatre or Opera, without some signal of his inferiority offered in atonement to those who wish it to be understood they but tolerate his presence, albeit they have *sworn him free and equal?* What hospital or poor house receives him, except *apart* from the privileged white sufferer, without, it may be, half the sense or virtue of the negro? Even the Church assigns him a distant seat and different altar. The grave itself perpetuates the distinction, by disowning the fellowship of his dust. In life and death alike, he is proscribed and trodden under foot as an alien and outcast, and his degradation is thus made to accompany him to the very gates of Heaven. And all this is true to a much greater extent in the North than in the South. The free negro North is used—allowed to live, *if he can*, and at any rate is at perfect *liberty to die*, but no where is he protected, encouraged, and rewarded, in all the liberty-loving North. Paradoxical as it may seem, there is nothing resembling sympathy and equality of moral relation between the races, except in the South, where the one, in the proportion of seven in ten, is enslaved to the other. Here, to a great extent, the children of the two races grow up together, and, as a general rule, cherish for each other, in greater or less degree, interest and attachment. Similar reasoning applies to the household circle, as it regards adults. There is a natural sense of obligation and kindness, on the one hand, and of dependence and gratitude on the other, leading to many of the kinder offices of human intercourse, without which the heart must be utterly desolate. I do not claim for the South that this view of the subject applies to all slave holding individuals and families. There are but too many exceptions to the rule, and I shall not attempt to protect them from the execration they deserve, for neglect and cruelty in relation to their abused and suffering slaves. Nor do I intend to charge upon the North, or free States, that there are no individuals or families who treat the negro as he deserves. I speak only of the general rule, in both cases, and am anxious to give *full force to the exceptions*, both as regards number and weight. Individuals and families in the South have, doubtless, acted infamously toward their slaves, and continue to do so, as individuals and families in the North have, and continue to act, towards their hired and apprenticed servants, and formerly toward their slaves also. Most cheerfully do we bear testimony, that individuals and associations in the North have, in many instances, acted nobly toward the negro, whether free or slave. What we ask, is, that the exceptions, in both cases, may be fairly contrasted with the general rule.

The abolition of slavery has been extensively agitated, three several times in the United States. The first was about the time of the formation of the Federal Government. Shortly after the adoption of the Constitution, numerous abolition petitions reached Congress, under the administration of Washington, praying the interposition of the General Government. They were respectfully received and referred to an able committee, as all such petitions should be, and the report of the committee was, that the General Government had nothing to do with the subject—no right to interfere in any way, as the matter belonged wholly to the slave holding States, without any right, on the part of individuals, societies, churches, or the free States, even, to meddle with it. And so the matter was disposed of, apparently to the satisfaction of all concerned, and the excitement died away.

The next abolition era, connects with the admission of Missouri, thirty years after, when the compromise to which we have alluded took place, and again settled the question. The third movement followed that of England, in relation to West India Slavery, and has continued ever since, although the movements—the emancipation proposed here, and that which took place in the West Indies—are utterly unanalagous. Here the negroes are in the midst of us, locally mixed up with a great people, being to the white population as one in three. There, they were scattered among a cluster of distant islands, and were twenty to one as to number, rendering an expensive military force indispensable to safety, in each island. Had four millions of negro slaves been mixed up with the people of England, Ireland, Scotland and Wales, does any sane person suppose they would have been emancipated by the English Parliament? Or rather is it not certain they would not have been, unless their instant removal had been provided for? It is an instance, therefore, of the most stupid injustice, to attempt to reason by analogy from the one to the other. Long before any appeal was heard from the North, the voice of the South was emphatic in the denunciation of negro slavery. The colonies of Virginia and Georgia, and even South Carolina, boldly remonstrated against the impolicy and inhumanity of the slave trade, and its consequences, when they knew their *Sovereign* was a smuggling slave merchant, dividing the spoil with a large number of his own subjects, and those of other nations. The South too, has always shown itself more ready than the North, to get rid of the negro by *removal* and *colonization* in Africa, or elsewhere, if it be found practicable. The great mass of Southern slaveholders resist general emancipation, not because it is inconsistent with their interest viewed as a question of political economy, but because they know it to be utterly incompatible with their safety. Upon the consequences of the immediate, indiscriminate emancipation of the slaves of the South, or emancipation by any other than very gradual methods, I am not disposed to dwell. All sober minded men, however, indulge the apprehension, that were the slaves thus let loose, they might be led to think and feel like the negroes of St. Domingo, butchering the whole European population, in gratitude for the decree of the French Assembly of 1791, declaring them "free and equal to the whites. Who does not know, that every rash movement of the North endangers the safety of the South, and compels further resort to precautionary measures of safety, thus subjecting the slave to an abridgement of right and enjoyment which had never been thought of but for the gratuitious obtrusion of Northern interference.

It is already perceptible, that in the West Indies, unless other systems of servitude the *new types of slavery* already introduced, should check the tendencies of the emancipation act, imposed upon the Islands against their consent, the European race, yielding to the negro, is likely to become extinct. And should the North impose a similar emancipation upon the South, in violation of the compromise of the Constitution

among the immediate and necessary effects, sooner or later, the breaking up of the American Confederation, and the destruction of the negro race in the South must be numbered. Look at the Maroons of Jamaica: ever since their freedom they have utterly abandoned themselves to universal idleness, with all its attendant evils and vices, obdurately refusing to labor, under any circumstances, even to prevent starvation. The bloody insurrections too, in the Island of Barbadoes, in 1816, taking into the account, causes and consequences, is a comment to the same general effect. Improvidence and idleness, vagrancy and crime, are the notorious fruits of emancipation in the United States and the West Indies. Crime, in the United States, among free negroes, is in something like tenfold proportion, compared with what it is among Southern slaves, and the mortality is *more than double*. Our criminal and medical statistics abundantly attest these facts. A pretty extensive acquaintance with more than half the States of this Confederacy, and about an equal number, North and South, has led me to believe that the slaves of the South are better conditioned and better satisfied than the free negroes of the North; and, as a general rule, are better informed, especially on the subject of their moral relations. And, also, that they are well disposed, and inclined to virtue and morality, greatly beyond those of the North, or the free negroes of the South. The latter too, do much better in the South than in the North. Two reasons have long operated accordingly, in driving free negroes from the North, where they properly belonged, to the South. First, the repulsive inhumanity of the North, in so treating them, that they have preferred seeking shelter in the Southern States. And, secondly, the fact, that even the free negroes, so injurious to the Southern slave interest, have generally fared better in the South than in the North; and thus a large proportion of the freed slaves of the North, especially from 1790 to 1830, subsisted, in fact, on Southern charity.

About three millions and a half of slaves are now part and parcel of the population of the United States. They are here in our midst, and must be governed, and must have support. They were originally entailed upon us, against our will and wishes, by the mother country, during our colonial existence; but being here, they must remain and be controlled, unless some plan can be adopted for their removal. Remaining, how can they be governed, except in a state of slavery? Every State in the Union is disposed to cast off the few who are free. Every where their presence is regarded as an evil, if not nuisance. The South will not emancipate except upon condition of removal. The North will not consent to receive even a fair proportion of them, should they become free; and what is to be done with them? Their gradual emancipation and removal has never been objected to by the South; and carried out upon the principles of the original compromise of the Constitution, never will be. We say to our common country, *free us of the danger, and we consent to the removal of the evil.*

In this view of the subject, three questions press upon us:—our own good, in the slave States; the good of the negro, free and slave; and the common good of the country. In our deliberate judgment, those who are conducting the Northern crusade against Southern slavery, have no eye to either, or having any such end in view, have been infinitely unfortunate in the selection of means, and the temper displayed in the use of them. If the clamorous censors of Southern policy are the true friends of the negro, why do they, in the same breath urge emancipation in the South and legislate to exclude the negro from the free States? Is it merely intended in this way to annoy the South by a violation of the plain duties of citizenship, or are they willing to be understood as conceding that there is no chance for the negro except in the South?

In any analysis of the facts of history and experience, connected with the general abolition movement under discussion, we are naturally led to judge of the principles and motives of those embarked in the movement, from their moral and religious character and course of action *in other directions and aspects.* And as citizens and subjects of Great Britain have been very actively concerned for the last twelve or fifteen years in getting up and carrying on the great anti-slavery and abolition excitement in the Northern States, it will be proper to devote some attention to the moral character of the movement in both countries. In doing so, however, it is not intended, in speaking of Great Britain, or the Northern States, to include all persons, or the entire people of either. But as the more moderate and conservative portions of the people, in the one and the other, have not seen proper publicly to separate from the movement parties in question, by formal disapproval and condemnation of their course, it cannot be expected that we should do more, by way of excepting them, than they have done themselves. That the movement in this country was set on foot by foreign (British) influence, has been so extensively avowed by the Church, that no proof of the fact can be called for. It has been assumed in Episcopal and General Conference addresses. It has been distinctly avowed, again and again, in the official papers of the Church at New York and Cincinnati. It is elaborately declared to be the fact, by Dr. Bangs, in his History of the Church. It was repeatedly avowed by American speakers, in the famous meeting of malcontents and agitators on this subject, ever since praying to be known as "the World's Convention." The fact is notorious, and will not be denied. As the United States preceded England in the abolition of the slave trade, and was the first of civilized nations in an attempt to redress the wrongs of Africa, admitting the equally noble conduct of England in doing the same a short time after, England can claim no credit on this score to which we are not equally entitled. We ask attention to British policy in other aspects connected with slavery. Look then, at the British Government abolishing slavery in the West Indies, but pursuing a wholesale system incomparably worse in her East India possessions. The British Asiatic Journal says, "the whole of Hindostan, with the adjacent possessions, is one magnificent *plantation, peopled by more than one hundred millions of slaves,* belonging to a company of gentlemen in England, whose power is far more unlimited than that of any Southern planter over his slaves." In the very act of West India emancipation, it is distinctly declared, (see section 44,) that the slavery of other parts of the British Dominions was not to be in any way affected by the act. Beside the slavery just noticed in connection with the East India Company, there is a well known *government system* of slave ownership in Malabar, the Islands of Ceylon, St. Helena, and other places, where the English Government is a notorious slave-factor—a regular jobber in the purchase and sale of slaves. The system is carried on, enlarged, and perpetuated, by the purse and bayonet of the Government.—*Asiatic Journal and Parliamentary Debates.* Numerous English authorities might be cited, to show that England determined to sacrifice her West India Colonies to bring the productions of the Ganges and Barompooter in competition with those of the slave holding portion of the United States and the Brazils. The British Government has formally *sanctioned the entire Hindoo system of slavery.* The same *sanction* has been extended to the *Mahomedan system,* by which the Government has become a pander to both, spread out among a hundred and fifty millions of British subjects in India. England has gone farther. She has, actually, by the origination of a *separate, independent slave trade,* established, in India, a *third* system of her own, by the activity and vigor of which, the children of Africa and others, are being annually enslaved by thousands. An English witness, Dr. Bowering, affirms, of British subjects

in India, "the entire population of this vast empire are subjected to the most *degrading servitude*—a deeper degradation than any produced by West Indian or American slavery. They are perishing by thousands and hundreds of thousands from famine, while the store houses of the East India Company are filled with bread, wrung from the soil by a standing army." "Uncounted multitudes sell themselves and children *into slavery* by *permission* of the British Government."—*Parliamentary Papers*, 1839. The same authority declares, that "an *external slave trade*, by *importation*, including all the attendant horrors of a *regular system of kidnapping*, is carried on." The Duke of Wellington remarked lately, in the House of Lords, "slavery does exist in that country—domestic slavery in particular, to a very considerable extent; yet I would be careful how I interfered with the matter. I would recommend your Lordships to deal lightly in the matter if you wish to retain your sovereignty in India." McNaughton says, "thousands are at this moment living in a state of hopeless, unauthorized bondage. They have *sanctioned the free importation of slaves* into their territories from foreign States." Sir Robert Peel lately made the charge, and offered the evidence, in the National Legislature, that "British Merchants are, even now, *deeply* and *extensively* engaged in the *slave trade*." That country too, is at this moment engaged in a new system of ENGLISH *negro* slavery, by the *forcible capture* of negroes in Africa, *compelling* them to apprentice themselves, by the insulting mockery of legal forms, for a term of fourteen years; and whether this be with or without nominal security as to their freedom at the expiration of the term, it is essentially a violation of the compact of nations, relating to the slave trade, and a species of legal, but real piracy, by no means in bad keeping with other demonstrations of the English Government in the selection and use of means and measures for the purposes of national aggrandisement. Finding, too, that they cannot rely upon the labor of the free blacks, emancipation in the West Indies has been succeeded by *another experiment*—the enslavement of the *Hill Coolies* of India, to take the place of West India freed negroes. Both these systems of slavery are now in operation for the benefit of the West Indies, and other tropical portions of the Empire.

The legalized kidnapper seizes the hand of the poor captive on the banks of the Gambia, and compels his signature to a *fraudulent* indenture, about which he knows no more than the monkeys chattering in the woods about him, and he goes to the West Indies a *slave*, to prove the practicability of ample production, notwithstanding the emancipation of his predecessor! The Coolies, a poor, swarthy, degraded caste of laborers in India, existing in great numbers, and generally in a state of starvation and suffering, are prevailed on to go to the West Indies, and when they reach there, as apprenticed slaves, the negroes of the Antilles refuse all association with them, as more degraded than themselves. In India they are oppressed beyond the means of subsistence, and in 1838, five hundred thousand of them perished of famine in a single district. This state of things will always be sufficient to secure emigration, and supply the West Indies with slaves. No corner of the British Empire can be pointed out in which there is not worse slavery, in some shape or other, than in the United States. Who can help seeing that the fetters were struck from eight hundred thousand negroes, in the West Indies, only to be fastened upon as many European sufferers, of the laboring classes, at home? It has been more than intimated, in numerous English publications, and the Debates of Parliament, that speculations upon the reflex bearings West India emancipation is to have upon the fate of our Southern negroes, and especially in connection with the production of our Southern staples, rice, cotton, tobacco, and sugar, will go far to explain the philanthropy of the West India emancipation act.

England has betrayed and avowed her policy, and explained her motives in too many forms, to admit of doubt as to the intentions of government. That thousands of the good people of England saw in it nothing but good will to the negro, we readily admit. But when we see England, as we are compelled to, ruining and starving millions, by a system of oppression inconceivably worse than the slavery of the United States, we must be allowed to judge of motives by other tests than mere profession. How does it happen that England is so deeply interested in the fortunes of Southern slavery in this country, and at the same time so unfeelingly inattentive to the cry of millions of her own suffering subjects in British India? Why so readily excited into activity by caricature appeals in behalf of the American slave, while the living cry of her own enslaved and starving millions does not affect her? Why are the Cabinet, at Washington, as well as the people of the United States, favored with remonstrance and homily on the subject of civil oppression, while an unheeded voice is heard pealing through the diameter of the Globe, from Cuddalone, Tanjore, Madras, the Bengal Presidency, and other parts of outraged India, asking in vain for redress? We only quote British history when we state, that in two famines alone, occasioned solely by the forced exclusive monopoly of the grain trade, immense masses of human beings—all subjects of British military despotism, equal in number to *the whole negro population of the United States*—perished from sheer starvation, while within reach, in the English granaries, in both instances, were locked up and guarded by military force, ample means of subsistence and supply for all these murdered millions, and only and yet inexorably withheld from motives of pelf and cupidity, in view of enhanced price! The acute and discerning *Southey* says, of the great mass of the English poor, "they are deprived, in childhood, of all instruction and enjoyment. They grow up without decency—without comfort—without hope—without morals, and without shame. They bring forth *slaves* like themselves, to tread in the same path of misery." The North British Review remarks, "there is fair ground to question, whether, notwithstanding the existence of slavery, with all its attendant evils, there be a larger proportional amount of ignorance, crime, and misery, in the United States of North America, than is to be found in Great Britain and Ireland. The abolition of slavery in America would be a far greater triumph of principle, humanity, and courage, than was the emancipation of slaves in the British Colonies; its abolition there would be much more honorable. The physical condition and general treatment of slaves in the United States are better than they were in our West India colonies previous to emancipation. Our countrymen, in general, have treated the Americans unkindly and unfairly. It would have been hopeless to have expected West India proprietors to have emancipated their slaves without compulsion. We are very doubtful whether, if slavery had stood in the same relation to us it does to the inhabitants of the Southern States of America, there be even now enough principle, humanity, and courage, in the community of Great Britain to have effected its abolition." It is well known that quite recently the English Government passed an "order in council," for the transportation of *one hundred thousand negroes from Africa* to Demarara alone, and offers a bounty upon the head of every negro brought into Sierra Leone for transportation to the West Indies; thus *bribing* the African to make a slave of his fellow. It is true these poor creatures are called apprentices—being slaves in fact. There is not one fifth part the amount of slavery in the United States there is in the British Empire. In fact, England owns more slaves, detached from the soil, (not serfs or vassals,) than all other civilized nations put together. Allison, in his History of Europe, avows the opinion of Ireland, that "it would be a real blessing to its inhabitants, in lieu of the destitution of freedom, to obtain the protection of slavery." Murry, the English

traveler, says, of the slaves of the South, "if they could forget that they are slaves their condition is decidedly better than the great mass of European laborers." The London Quarterly Review, speaking of West India emancipation, says, "the results of that experiment are extremely doubtful. Let us *beware of increasing the suspicion* that we are willing to urge our example on the United States, from *motives* not of *philanthropy* merely, but in part at least of *mercantile calculation*." It has been avowed in England, since 1840, in twenty different forms, especially in leading political journals, that British tropical production cannot compete with American, until the American system of slavery is undermined. These journals have invoked attention to facts, so curious and instructive, that we shall be excused for noticing a few. Our sources of information are all English.

It has been urged that the cotton production of America, North and South, amounts to some 800,000,000 pounds, the result of slave labor, while England is unable to reach 150,000,000 pounds, in all parts of her dominions. The annual production of American sugar is stated, upon the same authority, to exceed that of England in the proportion of 10,000,000 to 4,000,000; and it is alledged that a similar disproportion obtains with regard to *all* tropical products. The English press has announced that the annual product of fixed American capital, based upon, or otherwise connected with slave labor, is about 220,000,000, while that of England, vested in the production of the staples to which slave labor is applied, in North and South America, does not exceed 50,000,000. It is declared, that England cannot look upon such results with indifference, and that she must *right* herself by some means, among which it has been more than intimated the subversion of the slavery system of the South was a desideratum. At one time it has been urged upon the attention of England, that the advantage enjoyed by America, in consequence of the large amount of slave labor, must lead to a corresponding extension of commerce, growth of manufactures, with increased national wealth and strength. At another, it has been pressed upon the notice of the Northern States, that it is *their* interest to unite with other countries in subverting the existing system of Southern production! And, apprehensive that the North might have sagacity enough to see, that drying up the sources of Southern production must instantly and fatally cripple Northern commerce and manufactures, with which those of England would be immediately brought in competition, prostrating the North as effectually as the South may be ruined, it has been attempted to show, that Northern capital and labor might accomplish, in the South of this country, what the *home* argument seems to concede is not likely to be accomplished in English Southern colonies! We would not be invidious. We are anxious to reason correctly on the subject; but we cannot perceive what connection there is between such appeals and suggestions, and the *ostensible* objects of English philanthropy and Northern abolition, respecting Southern slavery. Such a policy, if ever adopted and acted upon, will as certainly destroy the elements of our social strength and greatness, as that the Union of the States cannot survive it.

A member of the British Parliament declared, recently, "the greater proportion of the people of England *demand* the immediate emancipation of slaves, in whatever quarter of the world they may be found." He should have added—"let charity begin at home." Another member of Parliament says, "we will turn to America and *require* emancipation." It is to be hoped he meant, after freeing the last million of their own slaves! In this way foreign arrogance is reading us homilies on immediate emancipation, when even foreign ignorance must have known that all the emancipation we have had, in Mexico, Chili, Buenos Ayres, Colombia, St. Domingo, and the West Indies, was gradual, not immediate. The slaves of Mexico, so often quoted as an example of

immediate abolition, had to purchase their own freedom by labor, at an *ad valorem* estimate, requiring generally twelve or fourteen years labor, and in many instances much more; so that myriads of them were only emancipated by death. It is quite unnecessary to say, that deeply as the South may feel interested in the question of prospective emancipation, nothing will be yielded to intimidation at home, or from abroad. The London Athenæum appeals warmly and directly to the North, in favor of "the duty and policy of instant abolition." The London Herald, a government paper, says, in anticipation of a conflict with the United States, "are Texas and Oregon to become the principal military stations of a power which has at its command the Lakes, the St. Lawrence, Halifax, Bermuda, most of the West India Islands, and, *above all, the terrific war-cry of negro emancipation!*" The language attributed to the Duke of Richmond, whether true or not, as an utterance of his, must be regarded as full of interest, because in accordance with so much that is known to be true on the subject to which it refers. "The Sovereigns of Europe have determined upon the destruction of the Government of the United States, and have come to an understanding upon the subject, and they will eventually succeed by *subversion* rather than conquest. It is (this country) a receptacle for the bad and disaffected population of Europe; and the European governments favor such a course. This will create a surplus, and a majority of low population, who are easily excited. All the low and surplus population of the different nations of Europe will be carried into that country. They will bring with them their principles, and, in nine cases out of ten, adhere to their ancient and former governments, laws, manners, customs, and religion, and will transmit them to their posterity. Discord, disunion, anarchy, and civil war will ensue, and some popular individual will assume the government and restore order, and the Sovereigns of Europe, the emigrants, and many of the natives will sustain them." We leave facts to speak for themselves on this subject, whether in confirmation or correction of such speculations.

The manner in which our country is almost literally belted by British possessions, and surrounded by British influence, is known to every one. Take the range of the British West India Islands, from West to East, include the immense territory recently acquired of the government of Central America, and by means of which they will always be able to command the Ithmus of Darien, uniting North and South America—pass thence to New Brunswick, Nova Scotia, Newfoundland, the Canadas, New Britain, extending nearly to the Rocky Mountains, and to complete the chain, Oregon is claimed, from its Northern limit to its nearest approach to the Mexican boundary. In this vast region, a scattered population of nearly 100,000 are already subject to British law, with an immense military post at the mouth of the Columbia, thus commanding, not only the outlet of all our Northern Lakes, but occupying the key of the Pacific, with a view of controlling the trade of the Sandwich Islands, Java, the Spice Islands, China, &c. England is a friendly power, and should, by all means, be treated as such, to the extent her conduct will allow. She is, however, a rival, and *may* become an enemy. And by how far she has manifested a disposition to interfere with the internal policy of this country, especially in relation to slavery and commerce, should certainly be watched and resisted. The whole press of the country, political and religious, has been nearly unanimous in declaring the abolition and anti-slavery movement in the United States, to be of foreign *English* origin. The same has been avowed by the British and conceded by the abolition press of the United States. Is or is not all this sufficient, to place this country upon its guard? Grant that it is the duty, and would be wise in the people of the United States, to attempt by fair and constitutional methods, to free the country of slavery, why this foreign interference and tampering—why

this courting and coaxing of foreign countenance and co-operation, by the organized anti-slavery associations of this country? What must be thought of American citizens who ally themselves with foreign combinations to disturb and agitate the country, and on a subject and in a way, necessarily tending to dissolve the union of the States? One English Journal says, "the people of England will never rest until slavery is terminated in the United States." Another says, "slavery can only be reached through the Federal Constitution." Such is the text; and the comment is a constant effort in England, more or less disguised and respectful, to array the North against the South on the subject of slavery, and then in turn the South against the North, in the matter of her own free trade propagandism, with which the South is presumed to be in sympathy. We would not be ill-natured, but we ask attention to the facts. Again: why a constant effort of the English press to exagerate the disabilities and sufferings of the American slave, while similar and in many instances, inconceiveably greater oppression and suffering among British subjects, are kept entirely out of sight? Should not a country so long and inveterately in the habit of claiming prerogatives, and exercising rights, not derived from either God or man, which is known to have expended much more blood and treasure, in invading the rights of others, than in defending her own, be a little careful in the extension of censorship over the morals of other countries? A nation whose annual custom it has been for ages, to transport thousands into perpetual slavery, in distant penal colonies, not merely for *crime proper*, but for offences committed only to prevent starvation, and by which no one was injured to the amount of a shilling, such as stealing a pheasant or shooting a hare, might afford to be a little more considerate, a little less officious, in meddling with the defective codes of other countries We are willing, never reulctant, to have bared to public gaze, the abuses of American slavery; but England ought never to do it without a faithful depiction of the atrocities she knows to exist, by license of her own government, in different parts of the Empire. For example, when lecturing the United States on the evils and horrors of Southern slavery, she should enable us to judge of her impartial clemency, in connection with practices not unlike those falsely charged upon the South of the United States; the history and philosophy of her transportation system; the elements of her gigantic plan of convict civilization; the degradation, the slavery, the exile, the hunger, the toil, the filth, the nakedness, the exposure; the bayonet, the hand cuff, the cat o'ninetail, the leg chain, the gory scourge, the military guard, the blood clotted triangle, the chain-gang, the iron hearted task master, the night watch, the blood hound, the gallows; cast away unwholesome food, which has circumnavigated the globe, saline petrefactions, called meats, and old as Her Majesty at that, devoured in the wooden night box and convict cave; British subjects sold by government as slaves to the highest bidder, and bought by British christians; scourgers appointed by law; the double government cat; government license for fifty lashes; labor during fifteen hours of the day, with the thermometer not unfrequently at 125! And the benignant authors of all this, our reprovers on the subject of slavery! I should be ashamed to write the above, were it not *that every phrase in the picture, is borrowed from British law and English witnesses.* With no wish to disparage the virtue and worth of England, a single question explains all we have in view: Why are the English meddling only with American slavery, without attending to their own kindred and even worse systems of degradation and suffering, found in every division of the Empire, and provoking the remonstrances of the civilized world? Why such care for us, and sympathy with the Southern negro, while enslaving and mal-treating the negro and other unfortunate portions of mankind elsewhere? Why so reckless of the fate of 40,000,000 of slaves in Russia, in connection with the Greek Church?

Why so unmindful of the slavery of Italy, Austria, Spain, and Portugal, found in th bosom of the Papal Church, while laboring so disinterestedly for the purity of the Amer ican Churches, as it regards the evil of slavery? Of a hundred millions of negroes found upon the bosom of our world, no three millions existing together, in any country can be pointed out, enjoying any thing like one half the physical and moral advantage enjoyed by the slaves of the Southern States; and why is it so much sympathy is fel for the few, thus circumstanced, and so little interest cherished in behalf of the remain ing millions, at least in no better, and believed to be in a much worse condition?

Dr. Durbin, fresh from the great theatre of abolition ethics, and known to be an acut observer of men and things, says, "the truth is, *that under the present working o British institutions, the mass of the people are* SLAVES, *and the few are* MASTERS, *withou the responsibilities of masters.* The *physical condition of the greater part of the slaves i the Southern States of America,* is *better than that of millions in England and Ireland*– their *moral and intellectual condition* CANNOT *be worse.*" Plainly, the millions of th common mass of England and Ireland, are more truly and miserably *slaves*, than th negroes of our Southern States. Now will it or not, be the "sense" of the Majority o the late General Conference, that the Wesleyan Methodist Preachers, the Buntings, th Newtons, the Jacksons, and Dixons, who certainly rank with the "masters" and no with the "slaves," and who "travel at large and oversee the work" Wesley left to b superintended by them, shall "desist" from the exercise of their functions, as "over seers of the Church of God," until this "impediment" is removed, and the millions o *English and Irish slaves* are freed, whether they *can be or not!* And until they do this can they be regarded as any better than poor Bishop Andrew, who was made a slav holder without his consent, by the "working" of similar "institutions?" But further for the consideration of our trans-Atlantic friends. It is known to them—to all, tha large portions of the children of Africa, have existed in a state of slavery for 3,00 years, and it is equally well known, that unconnected with all other races, one portio of the negro race, since the earliest dawn of history, has been enslaved to another, an that in greater proportion too, than to any other race. There are ten, perhaps mor than twenty *negro* masters in Africa, to every white one in the United States, and own ing ten, if not twenty times as many negroes. And it is also true, that those portion of Africa, where the slave trade with the white man is unknown, are the most *inveterat slave regions.* It has been estimated, that something like nine tenths of the whole six ty millions of Africa, are in fact slaves. The English can doubtless account for th origin and existence of American slavery, as they are the authors of it, and are now battening upon its gains. But how will they account for the state of things in Africa And why so much zeal in *this* direction and so little in *that?* In all the negro islands (many and populous,) of the Indian archipelago, the negro is enslaved to the negro Why too, are the negroes of this and every other country, St. Domingo and the othe West India Islands especially, so utterly and proverbially indifferent to the condition of their fellow negroes in slavery? In no instance have they, as a people, made a move for the freedom of the negro, or manifested any general solicitude on the subject Does there or not, appear to be some deep and primary reason for such startling results? Grant that England and the North can satisfactorily explain the matter, so far as they are the authors of American slavery; still, is there not much beside this, which needs to be explained? Why a destiny so untoward, for every portion of the African race, for now a term of at least 3,700 years? All our hopes and fears centre in the conviction, that whether for good or evil, or it may be a mysterious dispensation of both, *the hand of God* must connect with such a destiny!

Similar reasoning applies to the Northern division of our own country. New England capital, combined with the acquisitive ardor and daring enterprise of her hardy sons, gave birth to a large proportion of the whole amount of American slavery, as well in the South as North. An almost incalculable amount of Northern capital, is at this time invested in Southern slaves. The hundreds of Northern men, annually settling in the Southern States and Territories, are known promptly and without hesitation, to become slave holders; and the *Simon-pureism* of Church and State—of Pilgrim and Puritan—fresh from the most approved nurseries of abolition zealotry, yields to the suggestions of convenience and interest, in enlarging and upholding the system of Southern slavery. Even temporary residents in the South, from the North, and belonging to Northern Churches, become slave holders in instances not a few. Indeed very few of the New England and Northern Clergy, taking the range of all denominations, emigrate South, without becoming slave holders, as soon as they find themselves able. And a great many, the owners of slaves in the South, *sell them there*, and return North to live, it may be, in ease and affluence, upon the "price of blood," in the parlance of anti-slavery ethics. And in this connection, the Northern Methodist Church, and especially the Ministry, are entitled to notice. With motive we have nothing to do, except as general conduct must be regarded as being its only true exponent. What is had in view, therefore, by the ceaseless increasing agitation of the slave question, must be judged of by the character and conduct of the agitators, in other respects—particularly in relation to vice and the vicious, in other departments of evil and classes of evil-doers. In this regard, it is pertinent and important to enquire—are they equally zealous and as intolerant in reference to *other* forms of evil, as in the case of slavery? Are they as intolerant of other forms of slavery as of *negro* slavery? Is it oppression they hate and would destroy—oppression in all its forms and wherever found? Do they seek out and relieve the enslaved and oppressed of every relation and condition—the wife, defrauded of her rights in a state of hated servitude—the oppressed child, crushed beneath the unfeeling brutality of parental despotism—the hired servant, wronged and borne down by a tyranny, to which necessity subjects him—the miserable slaves of unprotected apprenticeship—the unfortunate debtor and inmate of the poor house, deprived of unforfeited rights by the indifference and obduracy of public and popular feeling? If such be their conduct, we are not at liberty to question their motives as anti-slavery reformers for the benefit of the South. But by how far such is *not* their conduct, we impugn their motives, as at least of very doubtful character. When the benefit of the slave is sought, by cursing the slave holder, we cannot admit the plea of good motive, and must consider hostility to the South as the real cause of the movement. Millions in the civilized world are the victims of a legal and social despotism, incomparably worse than Southern slavery. They are more ignorant, have less control of their persons and actions, have less to eat, and food of a worse quality, they are worse clothed—they work harder and longer, in every twenty four hours, have less contentment, less motive and emulous feeling, and in every respect, are in a state of debasement more utterly hopeless than American slaves. And why is it, feeling and sympathy are not manifested in their behalf, in a manner corresponding with abolition sympathy for the Southern slave? What interest is felt or manifested for the millions in the civilized world, now in a state of vassalage or villénage, two systems of slavery, equal at least in evil and injury, to the system of American slavery. Not equally zealous with regard to other social evils, what must be the inference, as it regards their motives? And how as it regards *crime*? Take the vices rife and dominant on every side of them. Look at the commonness and insolence of impiety, stalking all about them. Blasphe-

my, profaneness, drunkenness, Sabbath breaking, dishonesty, lying, and defamation and so of the whole tide of human abomination, rolling up before them; are they equally jealous and exacting, in their attempts to suppress *these?* And if not, what is the inference again? Is there not a manifest inconsistency, between their clamorous aggressive movements, as it regards slavery, and their want of zeal and activity in the suppression of general popular crime, every where surrounding them? If conscience and religious principle were the exciting causes, one human interest would not be espoused at the manifest expense and to the great detriment of others. Why this frenzied sentimentality—this delerium of opinion and feeling on the subject of slavery; combined with such invincible Sadducean torpor as to other and worse forms of oppression and vice, and especially proverbial indifference to the moral and immortal wants of the negro? Notwithstanding the thousands of free negroes within their limits, all the abolitionism, love of the negro, hatred of slavery, all the perverted facts, distorted statements, declamatory defamation, and in some instances honest and able appeals, connected with an interminable array of newspaper and pamphlet warfare, conventions, meetings, lectures, agents, and importation of foreign aid—all these within the wide spread territory of the New England, Providence, Maine, Vermont, and New Hampshire Conferences, have not brought a solitary negro into the Methodist Episcopal Church, at least to remain there long enough to be reported. So say the ministers of the current year. How, why is this? Here is the negro—the free negro in the free and happy North. Here too are his own dear friends—his patent benefactors, laboring as above for his good, day and night, and even *the Sabbath* not intermitting the struggle, and yet Heaven favored as he is, in the very Goshen of the moral world, with a superfluity of blessing for himself, and the popular curse, piled mountain high upon his oppressor, the incorrigible negro is not converted—none of them can be got into the Church—no, not one! Turn now to the Troy, Black river, Erie, Oneida, Michigan, Rock river, Genesee, North Ohio, Illinois—nine Conferences; in all these we have less than a thousand negroes in the Church! What does it mean; how is it to be explained? How does it happen, that the free blacks in the non-slave holding States, have been so very limitedly benefitted and influenced by a ministry, so indefatigable in the abuse and denunciation of slavery? Is it because the negroes have discernment enough to see, that their wordy benefactors have really never done any thing for the good of the negro, soul or body—that they do not care for the negro—that they are not the true friends of the negro? Why drive a trade with the sympathies of those they find themselves able to excite and agitate, but leave the poor negro to turn their abstractions and declamation, to what account he can—that is none at all, involving good of any kind? Who of these have volunteered to appear in the South, to instruct, console, and cheer the negro, amid the hardships of his lot? Addressing the very men of whom we are speaking, Bishop Hedding says, "if you feel as much for the slaves as our Southern brethren do—if you are willing to labor as hard and suffer as much for the benefit of the slaves, as those brethren do, *go and help them;* there is work enough there *for you all.*" This noble and yet blistering challenge was thrown out by the Bishop seven years ago, but no one of these intrepid and devoted reformers of the Church, has appeared in the South for the salvation of the negro. They remain at home, and content themselves with fiery harangues and blustering paragraphs—revolutionary conventions and seditious reports, and we need scarcely add, that such cheap displays of humanity and showy exhibitions of feeling, costing nothing but words, can never deceive the negro or the friends of the negro in the South. But it may not be amiss to enquire, what has been the real value of emancipation to the negro, say in the United States and West Indies, where well un-

derstood experiments have been made, in due form. Ever since emancipation in St. Domingo, the mulattoes and blacks have been in a state of active hostile array against each other. The British Foreign Quarterly says of the former, "they were ignorant, covetous, lazy, proud, vindictive, and cruel, and almost totally destitute of moral feeling;" of the latter, "they saw the doors of their cage open, and like tigers, slipped out to rend and tear." Since their emancipation, the proportion of illegitimate births in the Island, has been increased to *three in every four*. The habitual invincible worthlessness of both races, has continued, with very little variation, ever since they obtained their freedom, and may be very justly estimated by the famous *Code Rurale*, by which labor was made *compulsory* to lessen the amount of theft, robbery, and starvation, in this model Republic of emancipated negroes. The same Journal informs us, sustained by other authorities, that not only in Hayti, but all the West Indies, even in Jamaica, whenever a fire, or any calamity of the kind takes place, the emancipated negroes invariably look on in stupid sullenness, without any attempt at assistance, and frequently indeed, the first flash of a conflagration or heave of an earthquake, is the signal for plunder. The production of St. Domingo, since the emancipation of the negroes, has been reduced as 150 to 15. Thousands of sugar plantations, have been utterly abandoned by the free negroes, because they found the Banana and other spontaneous fruits, would keep them from starving whether they worked or not. Professor Wilson, of Edinburg, says of England "she has forced upon the West India Islands, the monstrous project of negro emancipation—a step which has already reduced to one half, the production of those fine colonies, and given a blow to the prosperity of both the negro and European population, from which neither can ever recover. It soon became manifest that the negroes would not work." In the Island of Cuba, from 1775 to 1827, fifty two years, the increase of the free black population, was only 246, while that of the slave population was 547. A similar state of things, has always been presented, in the United States. Are privation and extreme suffering, favorable to rapidity of increase in population? If not, what must be the inference?

The effects of emancipation and the condition of free negroes in the United States, are matters too well known to require proof or illustration with the well informed. In Massachusetts, only one seventy fourth part of the entire population is African, and yet one sixth of all their convicts are negroes. In Connecticut, one thirty fourth are negroes, furnishing one third of all the convicts. In New York, one thirty fifth, and one fourth of the convicts in the city prisons are free negroes. In New Jersey, one thirteenth furnishing one third of all the prisoners. In Pennsylvania, one thirty fourth and over one third of all the convicts negroes. One fourth of the whole expense connected with the prison systems of the entire North, is incurred by crime committed by one twentieth part of the population. The same is strictly true with regard to the pauper expenditures of all the Northern States. Facts of this kind can never become so stale as not to be startling. We glance at them for a single purpose only; it is to show that amid all the appliances and under the most hopeful influence, of anti-slavery philanthrophy, the degradation of the negro continues unchanged, and may be seen in all the innumerable forms of indolence, vice, and misery. In Virginia, where no legal barrier prevents, in a population of 40,000 free negroes, less than 200 are found to own a single foot of land. And the same is true in about the same proportion, in all the States, slave and free. A well informed Northern Clergyman says, "every State seems to cherish a disposition to be *free* from a free black population. In all the walks of life, in every society, upon every path which lies before others, to honor, and fame, and glory, a moral incubus pursues and fastens upon them. There appears to exist, in the

breasts of white men, in this country generally, a prejudice against the color of the African, which nothing short of Divine power can remove. It is thought by many at the *North*, that immediate emancipation would render it necessary for the whites to exterminate the blacks, or abandon the Southern soil."—*Conver on Slavery.* Dr. Fisk boldly maintained, throughout the hottest of the abolition contest, in the East and North, that either immediate emancipation, or emancipation at all, without removal, would be worse than slavery, to all concerned. Dr. Phillip attempts to account for the unmitigated aversion to the color of the African, so universally prevalent in the United States, especially in the North, by ascribing it to the injuries, we as a people, have inflicted on that unfortunate race. Our only concern at present is with the fact, showing that the negro has no chance to rise or improve in this country. A Northern author in an admirable "Plea for Africa," declares, "the humanity of slave holders in the Southern States, has far exceeded the feeling indulged toward the blacks in my native New England or the Middle States. A much kindlier feeling is indulged towards the blacks at the South than at the North." The whole current of evidence on the subject tends to show, that the reprobate South is the only section in the United States, where any considerable attention is paid to the wants of the negro. Of the free negroes of New England, of Connecticut, of New Haven even, Dr. Bacon enquires. "are they not, in the estimation of the community, and in their own *consciousness*, *aliens* and *outcasts*, in the midst of the people." Dr. Dana, of the North, says, "there are principles of *repulsion* between them and us, which can *never* be overcome." The unfortunate negro may cease to acknowledge a master, but cannot deprive himself of the consciousness, that he belongs to a degraded class, which as a class can never rise to equality with the white race about him. The North has inspired the negro with expectations above his condition; duped him with hopes he can never realize, and disgusted him with a lot, from which he can never escape, and from which the North has done nothing to enable him to escape.

The city of Baltimore, presents probably the largest and most intelligent mass of free persons of color, found in the United States. A large number of them are persons of reading and reflection. These in an appeal to the citizens of Baltimore, and through them to the people of the United States, say, "we reside among you and yet are *strangers*—natives, yet not *citizens*—surrounded by the freest people and the most republican institutions in the world, and yet enjoying none of the immunities of freedom. Difference of color, the servitude of most of our brethren, &c. will not allow us to mingle with you in the benefits of citizenship. As long as we remain among you we shall be a distinct *caste*—an extraneous mass of men irrecoverably excluded from your institutions. Though we are not slaves, *we are not free.* We do not and never shall participate in the enviable privileges which we constantly witness." Judge Blackford says, "they are of no service here, (free States,) to the community or themselves. They live in a country the favorite abode of liberty, without the enjoyment of its rights. To all these the black man is a stranger." "Here the features, the complexion, and every peculiarity of his person pronounce upon the ransomed slave *another* doom."—*C. on Slavery.* "If liberated and left among the whites, they would be a constant source of annoyance, corruption, and danger. They could never be trusted as faithful citizens. Each would regard the other with painful suspicion and apprehension. It is essential to the interests of each, that they be separated."—*Dr. Miller.* "The removal of the colored population is, I think, a common object, by no means confined to the slave States; the *whole Union* would be strengthened by it, and relieved from a *danger* whose extent can scarcely be estimated."—*Chief Justice Marshall.* "A pol

ical evil which we have inherited—a stain to be washed from the national escutcheon."—*Gov. Vroom.* "Ourselves, our children, our land, and every beloved institution of our country, are deeply involved"—*Bishop Meade.* "The free black whom prejudice consigns to a moral debasement in the North, is as deeply injured as the slave who, in the South, is held in physical bondage. The mass of crime committed by Africans is greater in proportion to numbers in the non-slave holding than in the slave holding States, and as a general rule, the degree of comfort enjoyed by them is inferior. They are destined to be forever proscribed and debased by our prejudices."—*B. F. Butler.* "The breath of opinion poisons all their efforts. They feel it is impossible to contend with the whites. They call more loudly for our sympathy than their brethren in bondage."—*Rev. Mr. Bestor.*

That part of the Protest which shows the whole Church, North as well as South, to be plainly and unavoidably connected with slavery, is not noticed by the Reply at all, although a great portion of its reasoning turns upon this point entirely. The boast of the North, generally, of freedom from slavery, is equally fallacious. Where are the descendants of the thousands of slaves sold by the progenitors of Northern abolitionists in the Southern States and West Indies? Sold and deeded by them into perpetual captivity, how is the slave trading North to get rid of the evil? What are these abolitionists doing with the "price of blood" thus left them by their sainted sires? In working out their freedom from slavery, what of the poor Pequod Indians enslaved by them at home, and shipped in large numbers to the Bermudas, and there sold into interminable slavery? Who owns, and is consuming the millions in the North, acquired by *actual, regular, and protracted merchandise*, in the souls and bodies of men, connected with the slave trade between the periods of 1650 and 1845? How are the children of a slave holding and slave trading ancestry, who have consigned thousands to perpetual servitude, from mere motives of gain, to rid themselves of the *moral* relations and effects of slavery? How many now engaged in spreading the evangelism of anti-slavery, have resided South, owned slaves, not by inheritance or in right of marriage, but by purchase, have *bought low and sold high*, and returning to the North, are now living on the proceeds of slavery, and weekly contributing, in their own patent phrase, the "price of blood" in the diffusion of abolition abuse? Dr. Dana says, "let us not imagine, for a moment, that we, in this Northern clime, are exempt from that enormous guilt connected with slavery and the slave trade which we are so ready to appropriate to our brethren in distant States. In New England are the forges which have framed fetters and manacles for the limbs of unoffending Africans. The iron of New England has pierced their anguished souls. In New England are found the overgrown fortunes—the proud palaces, which have been reared up from the blood and sufferings of these unhappy men. The guilt is strictly national—national then, let the expiation be. Let the *whole* country confess its guilt." New England and foreign slave merchants filled the South with slaves, aided by the sanction and participation of the British government. The oppressor's gold has enriched the North as well as the South. The truth of history speaks in the lines of Mrs. Sigourney—"The frown of deep indignant blame bends not on *Southern* climes alone. To dark slavery's yoke severe, *our* father's helped to bow the neck." If the whole matter in question be fully and fairly examined, the North may find itself as deep in debt to the justice of God, as even the South; and as it regards the slave *trade*, infinitely more so. How many more or less than a score of Northern vessels, with men and capital in necessary proportion, are at this moment engaged in the slave trade between Africa and the Brazilian ports alone? Who is ignorant of the amount of Northern capital engaged in the slave trade with the

Island of Cuba, after the opening of the port of Havana to foreign slave vessels, in 1789, and still further in 1791? Immense portions of the wealth of the North have been acquired by means of slavery and the slave trade; and slavery, in the light of means connected with the end, is now interwoven with the whole *civil* and *social* economy of Northern society. It cleaves to the soil, the homesteads, the churches, the graveyards, the colleges, the schools, the political economy, and religious enterprise of the land. The real difference between the North and the South appears to be, the one holds the *slave*, and the other the *price* of the slave. The one has the power to obey the command of God, respecting the slave, and is, of course, responsible for the use of it. The other bartered the slave and the responsibility together, for gold, and by way of educing good from "evil," secured a preferred equivalent for the one and the other.

The Southern portion of the Church, having any connection at all, are connected with slavery under the high and direct sanction of law; and how will it be made appear that such connection is criminal, while a multiform connection with slavery is found in the North, in direct violation of the constitution and laws of the United States, in some if not all of its aspects, and yet not criminal? Slaves, recognized as property, by express provision of *the supreme law* of the land, are, in instances almost innumerable, decoyed or stolen from their owners, secreted, protected, and aided in effecting their escape, although after being thus stolen or decoyed off, they are as really and truly slaves, and the property of others, as though nothing of the kind had occurred. Wherever they are found, in Northern States, they belong, by right of law, and the pledged consent of every citizen of the United States, to those from whom they have been stolen, or induced to escape, and no length of residence, North, affects the title of the owner. In this way, all engaged in *this species of abolition*, or in any way furthering or approving it, have a direct connection with slaves and slavery, in open violation of law; that is, they take, or otherwise aid, in depriving the owner of his property, without his knowledge or consent, and thus, in defiance of law, connect themselves with slavery by means of theft and robbery. We should like to know how this class of "men-stealers," (such by the constitution and laws of the country,) can escape the charge of connection with slavery, or how they expect to dissolve such connection! Entailed upon the South by means of British policy and Northern commercial enterprise, how does it happen that the curse of slavery is to be borne by the South alone? What baptism has washed the stains of the original lepers? By what vicarious arrangement have their sins been fastened upon the South, as the scape-goat by which they are to be borne away? How many Northern Methodist Preachers were ordained by Bishop Coke, during his connection with slavery in the West Indies, between 1788 and 1792, and how has the Northern Church got rid of the evil *thus* entailed upon them? All the superior Councils of the Church, since 1780, have consisted, in part, of slave holders, and always found in many of the Annual Conferences; slavery has been mixed up with all the federal relations of the Church for 65 years, and how is the Church to rid itself of *this* taint? The evil in the South has its warrant in the law of its production; in causes over which we had no control, and with the existence and operation of which, those who now abuse us most, English and Northern abolitionists, are more intimately connected than all the world beside. The North is a stockholder in the slave trade as truly as the South, and can never cease to be one, until the *gains*, by means of it, in all the successive accumulations of principal and interest shall, to the last cent, be expended in efforts to remove the evil they have inflicted on this country, on Africa, the countries of South America, the Islands of the West Indian Archipelago, and other portions of the globe.

We have seen that slavery is, to all intents and purposes, a national arrangement. The whole nation was originally concerned in its introduction and prevalence among us. The whole nation consented to its legal perpetuation, by its formal recognition in the Constitution of the United States. It could only become national, in the Union of the States, by consent and contract of the North. All statesmen and jurists treat it as a national concern. A Northern reviewer says, "the evil is ours as well as theirs; we are ready to appropriate it all to our Southern brethren, but we have no power or right thus to wash our hands. From the North have gone ships, and seamen, and traders in human flesh, that have been polluted by the inhuman traffic, and the 'pieces of silver' gained by them have been apportioned to the North: the North have shared largely in the accursed spoils." Is the North ready to consecrate these gains to the removal of the evil? Until this is done, if no longer, the North remains, of necessity, connected with the evil, as they have merely exchanged the slave for his value in the shape of other capital. Suppose too, the North were called upon, as the means of atoning for the evils inflicted upon the nation, by the importation of intoxicating liquors, and other demoralizing means of gain, during the last two hundred years, to sacrifice the amount of property now connected with the slave system of the South, say 800,000,000 of dollars, which they require the South to yield, and be thankful that they are let off so lightly! What requirement of God or man would secure such an alienation of property on the part of those who exact it of the South, in propitiation of Northern displeasure, on account of the evil of slavery? If not prepared for anything of the kind, may they not learn a lesson of forbearance toward the South, especially as they contributed so largely toward the establishment of the property system of the South? How will it be shown that it is either honest or honorable in the North, while enjoying the advantages of the national compact, to demand back the price they were once so glad to pay for it? In what sense slavery is national, and in what provincial only, has been shown with sufficient clearness in this discussion. And as slavery, within specified limitations, is a principle of public policy, those who assail it as an outrage, can only do so by assailing the civil compact uniting the several States of the confederacy. Or, turning to the provincial aspects of the question, they give their local views and policy an extra-territorial application, contrary to, and in violation of the federal treaty rights of American citizenship; and in doing so, must, of necessity, act in bad faith. We are glad to know that thousands in the North, opposed to slavery, are not disposed to disturb the South by any agitation of the subject; and by how far they discountenance agitation in this, or any other way, the South will accord to them the justice and generosity to which their conduct entitles them. Nor can we perceive what damage or disreputation would accrue to the Scribes and Pharisees of abolition and anti-slavery, were they to take a lesson from the conduct of this portion of their fellow citizens, and especially from that of Christ and his Apostles on this subject.

In the application of this reasoning, Methodism is no exception to the general rule. The impurity, the hated leprosy is spread all over the North by the constitution and laws, and by consequence, stipulated consent and established usages of the Church. The action of the last General Conference, if carried out, will prove but an anodyne, not a remedy. Much else will remain to be done. Pragmatic pertinacity in excluding slavery from the Episcopacy, say the Executive Department, while it is allowed to remain in the General and Annual Conferences—the Legislative and Judicial Departments of the Church, deemed by the majority of so much more importance—will always appear to the impartial and well-informed, as ridiculous as it is absurd and inconsistent.

Who can help being struck with the contrast between the conduct of Prophets and Apostles, in relation to the evil of slavery, and the course pursued by the Northern abolition and anti-slavery party or parties of the Methodist Episcopal Church? Slavery, perpetual hereditary slavery, existed in the Jewish, and also in the Christian Church, and slaves and masters, under Divine direction and influence, constituted portions of both, and in both, at different times and in various ways, God himself interposed and legislated for the regulation of the evil—for such it seems to us it must have been regarded, and might have been, without affecting our reasoning. All this was true and yet no directions given—no movement authorized or indicated, towards its overthrow. It was directly connected with, and was a part of the civil polity, in both instances. In the one it was expressly authorized, and in the other distinctly recognized, as a civil and domestic arrangement, giving birth to important social and moral obligations, and while its abuses are denounced, no attempt was made to interfere with it, as a concern of State. During the personal ministrations of Jesus Christ and his Apostles, the whole Eastern world was full of slavery, in its worst forms—in forms confessedly worse than any in the United States, and comprehending, it has been estimated, one entire half of the population of the East; and yet inspiration is silent, except in the specification and enforcement of the relative duties of master and slave, without one word in condemnation of the *relation* out of which the duties arise. Must not St. Paul and his associates have been familiar with the "*Ergastula tota*" of Juvenal—entire work houses crowded with slaves, and dotting nearly every road side of Greece and Rome? Were they ignorant of the fact, that slavery, even *negro* slavery, had existed in the countries and colonies of Greece for ages before the christian era? Were they strangers to the fact, that the Roman Empire was full of slavery? Had the slave markets of the Imperial and Provincial capitols, never attracted their attention? Did they not know that the mines of the Empire alone, for a series of ages, occupied upon an average, annually, some 50,000 slaves? Were the facts attested by Seneca, Pliny, Strabo, and others, that many Roman citizens owned whole legions of slaves, unknown to them? And yet we have seen, and shall further see, what their example was, and how little it resembled the conduct of which we complain? Every word on the subject from either, vindicates the idea and the fact, that slavery is a civil relation, with which christianity does not meddle, and as such is not to be interfered with on the part of the Church. From Moses to Christ, slavery, perpetual slavery for life, existed in the Church, even in connection with the Priesthood in all its grades, and God, equal and infinite in wisdom and goodness, specified, explained, and enforced its relations. Not only did the Hebrews hold slaves, by Divine permission, but by the same warrant, they were permitted to transmit them to their children, as hereditary property. There is no prohibition of slavery during the Old Testament history, nor is the relation of master and slave any where charged as a social or moral wrong. In the Jewish polity, it is not merely tolerated, but as the prevailing custom of the early Eastern nations, which God did not see proper to deny to the Jewish nation, it was retained and adopted as one of the institutes of a polity, established and published by Himself, as sole legislator. And this is not merely conceded, but currently assumed and asserted, by the whole stream both of Jewish and Christian commentary. Nor are Methodist commentators any exception to the rule. It is admitted and taught by all our standard expositors, not excepting Dr. Coke, who in his commentary, whatever he may say elsewhere, admits that slavery by Divine warrant, was made a part of the political constitution of the Jewish Commonwealth. Ignorance alone will deny, that slavery pervaded the whole Eastern world, at the introduction of christianity, and yet the legislation of the New Testament, no where

condems the relation or the system, but is limited to conservative regulations, designed to prevent abuse, and inculcate duty, in relation to all connected with the system, whether as masters or slaves. Non-resistance to the law of servitude as a civil arrangement, submission and fidelity on the part of slaves, are exacted as matter of christian duty, and for the emphatic reason "that the name of God and his doctrine be not blasphemed," as by those, who teach the right of resistance and non-submission, in the premises. The same duty is urged, in view of the solemn motive, that the slave may "adorn the doctrine of God our Saviour," a part of the "doctrine of God our Saviour," being, that as the master owes protection, support, and kindness to the slave, as such, so the slave owes obedience and all fidelity to the master, in his character of master. A still more explicit reason, assigned in the New Testament, is, that such obedience, so performed by the slave, is necessary to the Divine approval, as matter of plain duty, growing out of the civil condition of the slave. Every critical student of the New Testament, is well aware that there is not in it a single sentence, nor any series of them, from which induction can logically deduce the inference, that the simple owning or holding of slaves, is inconsistent with the word of God, or christian character. How is it then, that so many have become "wise above what is written," and are so far in advance of the revelations of infinite wisdom, on this subject, as to represent slavery under any circumstances, as one of those monster vices—a Giant abomination, which (according to some,) christianity has refused to pollute her lips with, and has left to be destroyed by *extra-scriptural* efforts, or if such be not the position, (according to others,) then let us have the warrant from the word of God, under which they presume to act. Difference of opinion and feeling on the subject, we do not complain of—this is to be expected, but when it comes to cursing and outlawry from the pale of all the virtues, then those who so treat us, must produce Divine warrant for what they do, or stand exposed to the charge of arraigning the wisdom and the word of God. By a denunciation of slavery as the sin of sins, the *disciple* charges the *Master* with infidelity to His commission, for by a most unaccountable oversight, the great Teacher, and the inspired expositors of his declared will, failed to intimate, that it was a sin at all. Those we oppose in this argument, make the christian profession a reason for dissolving the relation of master and slave, contrary to the unequivocal teaching of the New Testament, which enjoins the duty of greater fidelity on the part of the christian slave, because the master is a christian too, and they brethren in Christ, and in this way our opponents *deface* rather than *adorn* the doctrine of God our Saviour. The New Testament teaches that this doctrine is adorned, when the slave renders a ready and cheerful obedience, in view of his relations as a slave; modern menders of the Divine message teach, that it is best done by disobedience, theft, robbery, running away, or placing themselves in a position to be *stolen* by their benefactors. The New Testament enjoins obedience upon the slave, from motives of honesty and uprightness, lest the name of God and his doctrine be blasphemed; the reformers in question, however, blaspheme both the name of God and his doctrine, by inculcating directly the contrary course of conduct. The New Testament requires that kind of obedience which counts "the master worthy of all honor"—that is, in the relation of master. It directs the slave not to be careful about his servitude—"care not for it," although freedom is to be preferred, when it is offered by rightful authority. It also teaches the slave to render service to his master "as unto Christ"—"not to steal but to show all good fidelity"—and finally, most solemnly requires all ministers of Jesus Christ, "to *teach and command these things*," and assures the Church and the world, that those ministers who *fail* or *refuse* to do it, "do not consent to wholesome words, *even the words of the Lord*

*Jesus*, but are proud knowing nothing—doting about questions and strifes of words—whereof cometh envy, evil surmisings, perverse disputings of men of corrupt minds, destitute of the truth, from such *withdraw*." Here is a picture too fearfully attractive not to be noticed. A picture drawn by omnicient discernment, and every word of it originally applied to the subject of slavery and abolition. We are not ignorant of the extent to which sneer and banter have been appealed to, to deter all concerned from any thing like a *scriptural examination* of the subject. Those who resort to such a course, doubtless perceive, that whatever warrant they may have for their conduct from other sources, they have none from the word of God. They no doubt feel, that they are *teaching* Prophets and Apostles instead of *learning from* them! The Church that claims authority to excommunicate, or in any way punish or disparage the claims of a man merely because standing in the relation of master or owner to a slave, treats the language and analogy of the Bible on this subject as obsolete, for in the Scriptures of both the Old and the New Testament, the relation is recognized as existing in the Church, every way and essentially distinct from that of *hired or indented service*, and in a way further, showing the relation to be allowable by Divine permission. God informed his people, under the old dispensation, that they might hold slaves either for a term of years, or for life, as a "perpetual possession" and "inheritance" for their children. The permission is expressly given in various forms. Under the new dispensation, He has not only failed to say they shall *not* do so, but proceeding upon the fact *that they did*, and the assumption *that they would*, He simply instructs them, *how to treat their slaves*, and explains to them the *kind of service* they may reasonably expect from them. The cruel, unjust, and even *unkind* master, should be disowned by the Church, as also the *faithless* slave. The humane and considerate master and the faithful slave, have as good a right, according to the Jewish and Christian Scriptures, to membership in the Church of God, other things being equal, as any class of mankind whatever. The practice of the Church for more than thirty centuries, has been in accordance with this statement. Biblical scholars need not be told, that in the Hebrew and Greek of the Old and New Testaments, terms denoting the *slave proper*, by general consent of all commentary and criticism, and clearly beyond doubt distinguishing the *slave* from the *hired* or any *other* kind of *servant*—thus forming two separate and well defined states of servitude, are used *several hundred times*, and frequently in *direct contrast* in the same sentence, and that in both langnages, and both divisions of the Bible, they are distinguished and kept separate, by the use of different terms, without any confusion of meaning or application. They need not be told, that in the New Testament as in the old, the one relation is recognized as existing in the Church, as well as the other, and that there is no prohibition of the one any more than of the other. The distinction between ruler and subject, parent and child, husband and wfe, is not more distinctly maintained by the use of *different* terms, than that between the *slave proper* and the *hired servant* of the Scriptures. If this be not so, let the contrary be shown. Let it be made appear, that the "*Eved*" and "*Saukeer*", (*slave* and *hired servant*,) of the Hebrew Scriptures—the "*Doulous*" and "*Misthotos*," (*slave* and *hireling*) of the Greek of the Septuagint and the New Testament, with their almost innumerable compounds and formations, as well as other kindred terms, with their compounds and derivatives, used to denote the *same contrasted* relations—let it be shown, that all these, so used in several hundred places, do not mean the *opposite* civil and domestic relations of slavery and freedom—of compulsory and voluntary service. But if not, and the Bible is found teeming with such evi dences and distinctions with regard to slavery, while the very Decalogue recognizes the relation, and it is re-published in the sermon on the mount, let it be admitted that the

evil of slavery is to be judged of in view of other tests than its condemnation in the Bible. Were the Bible silent on the subject, the case would be very different. Other means of judgment would, of necessity, have to be appealed to. But the Bible is not silent. Heaven has legislated on the subject, and beyond that legislation no man or Church can go, without a departure from the word of God. The Methodists have avowed the belief to Heaven and earth, that what is not taught in the Bible, cannot be made a condition of salvation, and by consequence cannot be essential to christian character or ministerial qualification. Let the Bible then, come in as a witness on this subject, and let its decision be conclusive of the controversy. This must have been the design of Heaven, or the subject would not have been introduced there. We may fight and divide, and fight after division, until weary and wasted, and it must come to this at last. Slavery as a question of *morality*, can only be settled *by an appeal to the revealed will of God*. Here, and on this ground, must the decisive battle be fought. Let this then be the issue. The Divine will being revealed on the subject, in the Scriptures, *what is it?* If we misunderstand the great register of our faith, let us see our wrong. If we lack information, enlighten us. If by fair exegetical argument, the contrary of what we assume can be shown, we pledge ourselves to submit. But should it appear that the Bible recognizes the jural and social relation of master and slave, as a concern of civil government, with which the Church has no right to interfere, beyond the inculcation of duty and the correction of abuses incident to the relation, then we are compelled to maintain, that those who denounce the relation itself, as criminal and inconsistent with christian character, "teach for doctrine the commandments of men, and pervert the oracles of God." We repeat, here is the true issue, and let it be met. The early attempts of the Church, or portions of it, to interfere, so as to disturb the civil and domestic relations between master and slave, are directly condemned by nearly all the principal early and later fathers. Ignatius, Chrysostom, and Jerome especially, denounce the practice as unchristian. Ignatius says, "despise not the slaves, neither suffer them to be puffed up, but to the glory of God let them serve with greater diligence, that they may obtain of God a better liberty. Let them not desire that their liberty be purchased by the Church, lest they fall under the slavery of their passions." And accordingly it was decreed, by one of the ancient councils of the Church—"if any teach, that by virtue of religion or christian instruction, that the slave may despise his master, or may withhold his service, or that he shall not serve his master with good faith and reverence, *let him be anathema*." Such views of the subject are not offered to show that slavery is not an evil, but to show that it is not, (unless the relation be abused to criminal and unworthy purposes,) evil in the sense and to the extent assumed by a large portion, perhaps the majority of the Methodist Episcopal Church. Where slavery obtains, without being a *civil regulation of the State*, without the sanction of *public law*, as was the case in Massachusetts, from its introduction until put down by the Judiciary, our reasoning does not, and is not intended to apply. If evil be applied to slavery in the Discipline of the Methodist Episcopal Church, in the sense in which it is applied to drunkenness, profaneness, &c., as contended by some of our General Conference organs, then the Church has deliberately connived at vice and ungodliness, in both the ministry and membership, for the last half century and more, and must be looked upon as not less guilty and degraded, than she would have been, had she allowed her ministers and members to be drunkards, swearers, and Sabbath breakers. If this be so, the Church has been dishonest and unprincipled, in every period of her history, and those holding such an opinion, to be consistent, can only award her the curse of Heaven, and the scorn of christendom. The term evil, however, in the Discipline,

is used in no such sense. Such a construction would not only prove the Methodist Church unworthy of confidence, but the great head of the Church general, Prophets and Apostles, the Scriptures of the Old and New Testaments, the principal fathers and writers of the Church, since the days of inspiration, would be equally included in the condemnation; for we have seen that all these have steadily and formally recognized the state and relations of slavery, even perpetual hereditary slavery, and have specifically legislated and given direction, not for its overthrow, but for the regulation of the duties and obligations arising out of such state and relations. Taking the slavery of the United States, and certainly we have proved it to be such, as a long established civil regulation of jural origin, interwoven with all the successive forms of government, and the very structure of society, unless it can be shown to be inconsistent with the word of God, and so forbidden to the christian, we maintain that any authoritative interference with the relation by the Church, is a usurpation of right that ought to be resisted. We have seen at length and undeniably, that the judgment of our chief pastors, the Bishops, as given at different times, and fully sustained by repeated and formal declarations of the General Conference, directly rejects the supposition that the relation in itself is disallowed by the word of God, and therefore sinful. All the Bishops jointly, Bishop Hedding, Dr. Bangs, two successive General Conferences, and other authorities, have been adduced to show that since the early abolition of the Methodists in the United States, this has never been the doctrine of the Church. In matters of conscience she has, by her own official avowal, no right to legislate, except what she derives from the Bible.—*See Dr. Emory's report in* 1828. Whence her right then to denounce as morally wrong, a civil relation, recognized and tolerated in the Jewish and Christian Scriptures? The recent General Conference declared the slavery question to be one of conscience, and as the subject is discussed in the Bible, which we receive as "the *only* and sufficient rule of faith and practice," we ask for the warrant of the Majority in taking the stand they have on this subject. One of two things we claim, in the abused name of God and his word:—either furnish the warrant we call for or treat us on this subject as we are treated by the Bible and its author. We do not mean to say that the Bible favors slavery, or that slavery is not an evil; what we insist upon is, that the Bible treats it as a jural arrangement in human governments, which the Church has no right to assail or disturb, beyond proper efforts to bring master and slave into the fold of Christ, and urge upon both the faithful performance of their relative duties, that in this way, principle and conviction may operate their appropriate results. This was God's ancient method in the Patriarchal and Jewish ages, and that of Christ and his Apostles under the new dispensation, and we insist it will be found to be the only efficient means for the extirpation of the evil. Beyond this the Bible is neither *for* nor *against* slavery. There is no *pro-slavery*—no *anti-slavery* in it. The relation is recognized and its duties clearly pointed out, and at the same time all abuse of the relation is denounced as sin and punished accordingly. Whatever the zeal and fanaticism of modern enlightenment may decree or say, no other method of treatment is found in the Bible or authorized by its ethics. Having in various forms brought the subject to the notice of the Church, as requiring his interposition, why is God not permitted to express his own will, and explain his own law and purposes? Sacredly pledged to abide by these, as found in the Scriptures, have or have not the high engagements of the Church been broken in connection with the facts brought to notice in this Review? How the legislation of the Church has been treated, we have seen in extenso. Can further proof be needed to show that civil law has been declared, in effect, null and void, in its assertion of the rights of citizenship? In the case of Bishop Andrew, for

example, his personal rights as a citizen of Georgia, are legislated away by the summary process of resolution. With no law of the Church to authorize it, as themselves admit, the Majority place the character and conscience of Bishop Andrew in the keeping of a party jurisdiction, extra-territorial with regard to the entire South; and this too, although every citizen of the United States, as we have seen, is as much bound to protect the right in question, as any other guarantied by the constitution. Indeed, organized as the States are, under the federal compact, the whole anti-slavery movement is an aggressive interference with the civil arrangements of the country. It is a political trespass, and so far as the Church is involved, it is such ostensibly for religious purposes, and must come under the condemnation of the late Ohio Conference, in its denunciation of "politico-religious" movements of whatever kind, for certainly the one before us is of this character, with all the vengeance of ample proof and illustration.

The Protest assumes, that the constitution of the Methodist Episcopal Church has been violated in the proceedings against Bishop Andrew, and it will at least be necessary to show what was meant by the assumption. We reject, and always have, as absurd and utterly untenable, the position, that the "restrictive articles" are the constitution of the Church, in any allowable sense. The very proposition appended to the articles, is sufficient without any thing else, to overthrow the pretension. Very little discernment is necessary, to see at once, that no government is established by these articles; they do not pretend to establish one, and of course, of necessity, cannot be a constitution, for all admit that a constitution is that which establishes and constitutes a government. *That* is intended, and *those* things especially included, without which the government could not exist, and every one perceives that such views do not and cannot apply to the restrictive articles. These articles do not create, nor do they constitute the government, and therefore cannot be the constitution. They do not, nor can they be made, even constructively, to include the fundamental principles of the government. There are other principles of government not found in them, and to which they do not allude, equally elementary, equally essential to the very existence of the government. A constitution, further, means the *form* in which the *governing power* is exercised. Such form, however, is not found in the restrictions, except in part, and as all know, to a very limited extent. The restrictive articles are a part of the constitution of the Methodist Episcopal Church, and a small part only. They were not originally intended or thought of as *the* constitution of the Church, although undoubtedly designed to be of constitutional force, and such force we distinctly claim for them. They are properly an amendment or addition to the constitution, adopted and engrafted upon it, long after the Church had a constitution as truly and properly as now. While, therefore, the restrictive articles are a part of the constitution, they are not the constitution proper, any more than any other important section of the Discipline. As technically understood and applied, in the political jurisprudence of the United States, the Methodist Episcopal Church is without a constitution. We have a constitution, however, as certainly as the United States have, resembling, it is true, the English constitution in its origin and structure, much more than that of our own country, consisting mainly, as does the British constitution, of declaratory acts, statutes, rules, and regulations, together with construction, precedent, and usage, as the means of compact, union, and action, and thus forming a body of law, which is in fact our only constitution. In a word, our only constitution is our book of statutes, rules, and regulations—the Discipline of the Church. All these, essential either to the existence of the government or to secure the ends of its institution, are of constitutional force and validity, and by consequence parts of the constitution. The Itinerancy is confessedly more essential to

the existence and government of the Methodist Episcopal Church, than any other principle or arrangement belonging to it, and yet the restrictive articles do not allude to it, except as it regards Bishops alone. The forms of ordination, as it relates to *three orders or grades* of the ministry, originally received from Wesley, as not only valid and sufficient, but always regarded as essential to the very existence of the ministry, and of course the Church, must be considered as a constitutional arrangement, and an undoubted part of the constitution; yet these are not secured in the restrictions, except by implication perhaps, in the case of Bishops. Class meetings too, although not of Divine obligation, connect with a vitally constitutional principle in the government, as with these originates the ministry, and without them, with our present form of government, we could have no ministry of any kind. The class meeting system, therefore, is a constitutional arrangement, beyond doubt, although not covered by the restrictive rules. The Annual Conference system, without which the whole machinery of Methodism, would become extinct, will always be looked upon as a fundamental element of the very structure of our government. and yet it is not protected by the restrictive articles. The same is true of the Quarterly Meeting system, apart from which our whole executive administration would be something entirely different from what it is, and it can, therefore, be regarded in no other light than as a part of the constitution, and yet the restrictions imposed upon the delegated General Conference, have no reference to this any more than to the other great constitutional arrangements to which we have called attention. The General Conference also comes in with its powers and limitations, as a constitutional arrangement, but the restrictions upon it are no more *the* constitution, than any one of the constitutional powers or arrangements we have enumerated in the general system.

The General Conference was created and established by the Annual Conferences, (with the consent and approval of the Episcopacy,) as the organ of their action, jointly and in common. Not transcending the limits of its powers, its action is, of course, constitutional and binding; but exceeding these limits, its action is at once unconstitutional, not binding, and ought to be resisted. Attempting the exercise of power not delegated, it ceases to be the organ of the Annual Conferences. is from under the protection of the constitution, and loses all right of control. All the *powers* of the General Conference originated, pre-existed, and were exercised before the existence of the General Conference, and are, in no primary sense, traceable to it. Episcopacy too, with all its present powers, had long existed and operated its functions, as now, before General Conferences were thought of. The Episcopacy is not of General Conference origin, in any sense. All the General Conferences, from 1792 to 1844, could not have given it the character claimed for it, by our principal writers on the subject. It had full and effective existence, and constitutional force and validity, before the General Conference, which now assumes to have created it, had any existence at all. It preceded even the Eldership. It was the Episcopacy and Eldership in conjunction, as a constituent body, that created the General Conference, and imposed upon it the restrictive rules, now forming a part, and but a very small part, of the constitution. These are, in no sense, self-imposed restrictions, as absurdly supposed by some. They were imposed by those giving birth and power to the delegated General Conference, and without whose *authority* it could not have been. The Episcopal office was created, and Dr. Coke officially placed in its incumbency, by the only authority having any right to act, before any *Church* existed in the United States. In the Methodist Episcopal Church, the Bishop was the first grade of the ministry adopted. There was no Elder—no Deacon. The Laity had nothing to do with it. They had merely,

through their Lay Preachers, petitioned Mr. Wesley for Elders and Deacons. The Episcopacy was the first formative element or principle in the organization of the Church. It was the primal arrangement, around which all others clustered and settled into order and symmetry. It was by an authority antecedent and superior to the General Conference, that the Bishop was created President, and head of that body, which he could not be without belonging to it. His right of Headship and Presidency is not derived from the General Conference in any way. He is not indebted to the General Conference for his *position* there. His being there is not by concession of that body. As the general rule, his Presidency is one of the conditions of the existence of the body. He is there by appointment of the constitution, to preside and oversee. Even when there, as President, he is not the officer of the Conference in the sense contended for. It is not for them to elect whether he shall be there or not. He is the officer of the constitution—the Church, and without an abuse of right—of privilege; the General Conference cannot even object, constitutionally, much less remove him, and then only by regular adjudication, for improper conduct, by an appeal to law and evidence. The right of trial by committee, and of appeal, under circumstances affording full and fair opportunity of defence, is another constitutional principle of Methodist polity, existing prior to, and independently of, the General Conference, and applies to all ministers and members of the Methodist Episcopal Church, and to a Bishop, (if he be a minister,) not less than others. Nor is there anything in the discipline opposed to this. The answer to question 4, section 4, is simply declaratory of the amenability of the Bishop to the General Conference, and the right of the Conference to try and determine in the case; but the *mode* of trial is determined by the *constitution*, to be *by committee*, and as the case comes of course before the General Conference, it is virtually an appeal. The real difficulty is defective legislation; no statute exists to carry out the *provision* of the constitution, which expressly declares that *no minister* shall be deprived of trial by committee. When a Bishop is charged or arraigned at a General Conference, not to violate the constitution, he should be tried by a committee of *his peers*, and then let the Conference decide. I know no statute requires this, and it is equally true that none forbids it; and as it is explicitly *exacted* by the constitution, trial, without the intervention of a committee, is a violation of that instrument, and would be equally unconstitutional, were it authorized by statute, for, in either case, it is doing what the constitution says the General Conference shall have no power to do, in the case of *any* minister, preacher, or member.

The tenure by which the Bishop holds office, before and since the adoption of the restrictive rules, is distinctly, in the articles themselves, recognized as of constitutional force; and any course of legislation or judical action, any declaratory act of the General Conference, in any way tending to *unsettle* such tenure, placing it, for example, under the control of a mere majority of the General Conference, instead of the constitution, and thus depriving the Executive Department of its intended vigor and stability, is in violation of a plain constitutional provision of the Discipline.

The Articles of Religion are, also, an important and prominent part of the constitution. The 5th of these teaches, that what is not taught in the Bible, is not essential to christianity, in theory or practice; any conduct, therefore, not required or forbidden in the word of God, unless it be so required or forbidden by some other part of the conventional compact, existing as the constitution of the Church, cannot be made the condition of eligibility, either as it regards membership or office, on the part of the laity or ministry, without the violation, alledged in the preceding cases. No such requirement or prohibition can be shown in the case of Bishop Andrew, and hence the infer-

ence of the Protest, as to the unconstitutionality of the proceedings against him. The 23d article, as explained by the General Conference, expressly enforces subjection and deference—peaceable submission to all civil authority; requires the use of all laudable means to secure obedience to "the powers that be," and requires all to conduct as quiet and orderly citizens and subjects. The Constitution of the United States, the National Legislature, and the highest judicial tribunals of the country, have decided that slavery is a civil relation, created by law, and subject *only*, under federal protection, to the control of the States in which it exists. The same authority deprives, (with his own consent, in the federal compact,) every citizen of the United States of any right to interfere with this relation. Beside, in the State of Georgia, the Legislature alone has power to free a slave, and for a long term of years, has uniformly refused to do so, on any account. The General Conference require Bishop Andrew to do what they know could only be done by the Legislature of the State; and declare him unfit for a Christian Bishop, for sustaining a civil relation created by law, without any agency of his, and which he cannot dissolve, if he would. Such conduct, the Protest assumes, is in direct conflict with the duties of citizenship, pledged in the article in question, and is directly calculated, if not intended, to generate and cherish contempt and disaffection for the national constitution, as well as the constitutions and laws of nearly one half the States of the confederacy; and thus, by how far it may prevail, preparing the way for the disunion of the States and the overthrow of the government. The 21st article says, "it is lawful for a minister, as for all other christians, to marry at their own discretion, as *they* shall judge the same to serve best to godliness." Being the owner of slaves already, by the avoidless operation of law, for marrying a lady possessed of slaves, an act allowed as above, and not elsewhere prohibited, by any law of Heaven or earth, Bishop Andrew is directed to desist from the exercise of his Episcopal functions. Was not this requirement in violation of a right secured to Bishop Andrew by the constitution of the Church? The "general rule" on slavery is admitted, on all hands, to be a part of the constitution since 1808. The intention of the rule was to declare the disapproval and opposition of the church to the slave trade, and the system of slavery as consequent upon it. This rule, by the 4th restrictive article, cannot be revoked or changed by the General Conference. It is not only not competent for the Conference to revoke, but they cannot alter it so as to change its character, or make it different in its bearings and application. Any statutory regulations, therefore, on the subject of slavery, must, by constitutional restraint, be merely expository of the purpose and intention of the general rule: for, going beyond this, would be to change it, and would, of course, infringe the constitution. Any legislation *contrary* to the rule, would be in effect to *revoke* it. Any *coming short* or *transcending it*, in range and application, would be, actually, in every practical sense, to *change* it. All the legislation we have had then, since 1789, and especially since 1808, when the restriction was imposed on the General Conference, can only be considered as a statutory exposition of this rule; and every deviation from it, if any, has been an unconstitutional meddling with the subject. The rule, too, is a "general" one, that is, applies to all—to Bishops even, as all will admit. Indeed, no incredulity can doubt, no ingenuity evade the conclusion. If, then, the general rule apply to Bishops, how does it happen that the statutory exposition of it makes an exception of them? The very supposition exposes its own absurdity. And it follows, hence, that the *whole law* of slavery must apply to Bishops as to other grades of the ministry. This is the position of the Protest. Here then is the law, and let Bishop Andrew be tried by it. If it appear that he has bought, sold, or enslaved, man, woman, or child, let him be punished. If he be a slave holder,

as a citizen of Georgia, and the laws of the State admit of emancipation, and allow the liberated slave to enjoy freedom, he is liable to arrest, and let the punishment follow. But should the facts negative both suppositions, as is elsewhere demonstrated, then *the law gives no right* to touch him, and to do so, is a violation of the constitution. I maintain, therefore, that it follows, irresistibly, that the proceedings of the late General Conference, in Bishop Andrew's case, were a direct and gross violation of the constitution and laws of the Church, and that the minority had a right to declare them null and void. On the subject of such right, under the circumstances in proof, Chief Justice Marshall says, "a legislative act, contrary to the constitution, *is not a law*. An act of the Legislature repugnant to the constitution, *is void*." He adds, "this theory is essentially attached to written constitutions, and is to be considered as one of the fundamental principles of society;" and its application to judicial and executive acts, must be equally apparent.

Bishop Andrew become the owner of slaves by compulsion of law, without any will or consent of his own, entirely apart from his marriage. That I might not be in error on this subject, I applied, through a friend, to two distinguished Jurists of Georgia, for the law of the State—the whole law relating to the emancipation of slaves, and subjoin their reply:—

"*Laws of Georgia in reference to the manumission of Slaves.*—1801: Section 1.—From and after the passing of this act, it *shall not be lawful* for *any* person or persons to manumit, or set free, any negro slave or slaves, any mulatto or mustigo, or any other person or persons of color, who may be deemed slaves at the time of the passing of this act, in any *other* manner or form, than by an application to the *Legislature* for that purpose." 1818: Section 4.—"All and every *will*, *testament*, *deed*, whether by way of *trust*, or *otherwise*, *contract*, *agreement*, or *stipulation*, or *other* instrument, in *writing*, or by *parol*, made and executed for the purpose of effecting, or endeavoring to effect, the manumission of any slave or slaves, either *directly*, by conferring, or attempting to confer freedom on such slave or slaves, or *indirectly* or virtually, by allowing and securing, or attempting to allow and secure, to such slave or slaves, the right or privilege of working for his or her benefit, or themselves free from the control of the master or owner of such slave or slaves, or of enjoying the profit of his, her or their labor or skill, *shall be, and the same are hereby, declared to be null and void.*" The law then proceeds to declare that any person *attempting* to manumit, or being *in any way* concerned in the attempt, shall be *subject to a penalty* not exceeding one thousand dollars; and the slaves *attempted* to be made free, shall be sold at *public outcry*.

"GEORGIA, *Richmond county.*—We, the undersigned, members of the Augusta Bar, hereby certify that the aforegoing are true extracts from the Acts of the Legislature, *now in force*, relative to the emancipation of slaves. The general policy of the Legislature of Georgia, relative to passing acts of emancipation, on application of particular individuals, is *decidedly against it*. We have known *many* instances in which it was refused, and but *two* in which it was granted, under *very peculiar* circumstances. We have *never* known an instance in which legislative emancipation was granted to a man's slaves *generally*. We have also known applications refused under very strong appeals.

WM. W. HOLT,
CHARLES J. JENKINS.

29th JULY, 1844."

This will, perhaps, place at rest the suspicion attempted to be excited by the Reply, and some of the Northern Church Papers, that the laws of Georgia did not render emancipation as impracticable as was assumed by the friends of Bishop Andrew. The law of Maryland, as explained and attested by the Hon. Mr. Merrick, of the United

States Senate, and Judge Key, placed it equally out of the power of Mr. Harding, of the Baltimore Conference, to manumit the slaves of his wife, and yet, the majority of the General Conference *required* both Bishop Andrew and Mr. Harding to do what the municipal laws of Georgia and Maryland forbid; that is, the Church required these men to perform unlawful acts—required them to commit the sin and brave the penalties of a civil trespass to secure the favor of the Church, and actually punished both for not doing it. If emancipation be practicable in Maryland, in the sense of the Discipline, that is, *legally*, and at the same time permitting the liberated slave to enjoy freedom in the State, why did the Representative of the Baltimore Conference, in the appeal case of Harding. avow, in behalf of the Conference, that they did not intend to be governed by the laws of Maryland on the subject of slavery? And why was it avowed, by another member of the Baltimore Delegation, that the law could be violated with impunity, and that, therefore, it ought to be resisted? Why, too, was it so much insisted upon, that Harding might have freed his wife's slaves by removal from the State? These facts would not be noticed, but for the much more important one, that the doctrine and conduct in question were endorsed by the majority of the General Conference, and ecclesiastical law thus brought, as charged in the Protest, in direct conflict with the laws of the land. Ecclesiastical was claimed to be above, to supersede, and virtually abrogate civil law; and it is but too true, that language to this effect has, to a fearful extent, become the vulgar tongue of a large portion of Northern Methodism on the subject of Slavery. The position was avowed, and gloried in, that no slave-owning citizen of Georgia, or any other State whose laws are similar, can be a Bishop of the Methodist Episcopal Church, without an act constituting a *penal offence* against the laws of the State to which he owes allegiance. He is required to violate or evade civil law, as the only condition upon which he can be permitted to exercise the functions of a Bishop. The office is declared to be incompatible with the obligations of citizenship in some twelve of the Southern States. He is *disfranchised*, because, as a citizen, he cannot do what the Church requires. In other words, the Church assumes to have an officer who shall be exempt from the operation of the law of the State in which he lives, or else, no citizen of that State is eligible to the office. Can the South be expected to submit to this?

It may be necessary to notice, briefly, the *denial* of the Manifesto, that the law of slavery applies to Bishops. The majority think the *law* cannot apply to Bishops, because the *mode of trial* is not the same as in the case of other Traveling Preachers. The same reasoning would exempt another class in like manner, as the mode of trial is not the same in the cases of Traveling and Local Preachers; therefore the law of slavery cannot apply to Local Preachers, as they are not named any more than Bishops. With regard to the trifling salary regulation of 1836, unless the General Conference regarded Bishops as *Traveling Preachers proper*, they violated the plain letter of the constitution, in allowing them any salary at all. According to Doctors Durbin, Peck and Elliott, every dollar appropriated to the Bishops, since 1808, is an open abuse of a plain constitutional trust, respecting the proceeds of the Book Concern and Chartered Fund; such allowance, as all know, being restricted to Traveling Preachers only. But further, the customary phrase in the Discipline, "Traveling Preachers," is, every where and uniformly used, to distinguish the *itinerant* from the *local* ministry, and for no other purpose. Bishops must belong to one or the other, and if to the itinerant class, as they are no where excepted, the law of slavery must apply to them; and if not, as slave holding in the ministry is regulated by law, then slavery in the Episcopacy cannot be considered as a trespass of any kind, and the doctrine of the Protest is

fully sustained by one of the principal postulates of the Reply. Unless Bishops are included under the phrase "Traveling Preachers," they are excluded from our pulpits, so far as *right* is concerned, by the very terms of our Deed of Settlement. It is recklessly affirmed in the Reply, that in the Discipline, "special provision is made in the case of Local and Traveling Preachers." This statement is utterly unfounded: not only are Local Preachers not named in the section on slavery, but they are not alluded to at all, except by a construction which *must inevitably* include Bishops. If the phrase "official station," be construed, as it certainly should, to include them, when they aspire to ordination, &c., so, also, does it, of necessity, include Bishops. If Bishops hold "official stations," the law of slavery must apply to them. The Reply makes the discovery, that the section on slavery applies *only* to *officers* of the Church. Turn now to a Bishop:—Is he an officer of the Church, holding "official station?" and if so, as all must see at once, the law of slavery must apply to him, and he be protected by it, so far as it may be intended to afford protection in any instance. This single admission sets aside the denial of the Reply as absurd and self-contradictory. But again, in view of the "special provision" of the Reply for Local Preachers, which, as we have seen, covers equally the case of Bishops, with what show of fairness can the Repliers deny, as they do, the assumption of the Protest, that we have express law, covering the case of Bishop Andrew? What is the difference between "express law" and "special provision?" The Reply explicitly admits, what elsewhere it most laboriously denies, that the law of slavery does apply to Bishops. It urges, for example, that Bishop Andrew, by a deed of trust, placed it out of his power to do what, by a change of the law of Georgia, the Discipline would 'imperatively' demand, and a 'standing law' of the Church require! Now, unless this be regarded as a full and unequivocal admission, that the law of slavery applies to Bishops, and covers the case of Bishop Andrew, not only is the reasoning absurd, but the whole passage devoid of sense; and we thus demonstrate that the adverse position of the Reply, overthrown by these fatal concessions, must have been resorted to to meet an emergency. If the Bishops are excluded from subjection to the law of slavery, because not named, then are they equally excluded in the instance of many of the most important laws of the Church, as in many of its most cardinal regulations they are not named at all. In one of their official addresses, the Bishops speak of themselves and their work as constituting a "department of the traveling ministry." The majority labored long and hard, at the last General Conference, to show that slavery is a moral question—a question of conscience. Dr. Emory, in his celebrated report in 1828, says, that *all the moral laws* of Methodism apply to Bishops as truly as to any other portion of the Church; and yet we are told the law of slavery does not include them. They maintained a Bishop is not a Traveling Preacher in the sense of the Discipline, and yet, if even deposed as a Bishop, he would still be a Traveling Elder in good standing! Not belonging to any Conference in the United States or elsewhere, where would be his place, and what his rights, as a Traveling Preacher? What Conference could have claimed him? What Bishop would have dared to give him an appointment? Or, acting upon Bishop Hamline's suggestion, would the General Conference have been so obliging as to exercise the rights of an Annual Conference, and the appointing power of the Episcopacy, in addition, and so taken care that he had both place and work as a Traveling Preacher? This whole attempt to deprive Bishops of the *protection*, and yet subject them to the *restraints* of the law of slavery, must strike all as extraordinary, to say the least of it, and we are compelled to think, that but for the good fortune of such folly, (as it seems to us,) in having able supporters, its success would be slender indeed. In the General Conference's plan of division, adopted

only two days before the date of the Reply, it is said, "Ministers, local and traveling, of *every grade and office*, in the Methodist Episcopal Church, may," &c. And this form of expression all admit was intended to include Bishops, not less than other ministers; and proofs to the same effect might be multiplied to almost any extent, but it cannot be necessary.

We are often reminded that the middle or umpire Conferences will protect the South. We have grave reasons for believing that these Conferences, unless utterly misrepresented in the last General Conference, are in alliance with abolitionism, so far as may be necessary to carry out the purposes indicated by the action of that body on the subject of slavery. On every question before that body, involving Southern interest, they went almost *en masse* with the abolitionists. They supported the abolition measure to rescind the law prohibiting colored testimony against white persons, where it was not allowed in civil proceedings, and thus placed ecclesiastical, in conflict with civil right, in all the slave holding States. The middle, or anti-slavery party, went with the abolitionists in Harding's case. They were side by side and shoulder to shoulder against Bishop Andrew. They acted together in the election of one of the new Bishops. They were one in resisting the proposition of the Bishops, and the whole South, to appeal the case of Bishop Andrew to the Annual Conferences and the Church. They acted with the abolitionists in the avowal of a principle unknown to law, and disavowed by a preceding General Conference, as we have proved, that connection with slavery, even under circumstances expressly excepted by the law, disqualifies a minister for the Episcopal office. They did all this and more. And, connected with the last item, they failed either to say, or let it be understood, that an abolitionist could not be elected Bishop. And yet we are called upon to confide our interests to the care of these Conferences. If they did not intend a coalition with the abolitionists, why did they not express disapproval of the almost innumerable abolition petitions, demanding that *all* slave holders be separated from the Church? Why was it the South could get no report upon these petitions—for or against the objects prayed for? The reply avows that these petitions were a *reason of action* against Bishop Andrew. Why not reported on then, and new legislation had? Do the majority intend to proclaim the fact, that they were governed by petitions and party interests, rather than law? Beside, why be governed by a few petitions, as to slavery in the Episcopacy, and pay no attention to the *many*, praying that slavery be separated from the Church in all its parts and relations? In a word, these and similar demonstrations satisfied the South that anti-slavery and abolition will never pause until the South shall refuse submission, or be trodden under foot.

It is distinctly premised in the Reply, that anti-slavery and abolition principles and feelings, in the North, are far *in advance of law*, and the petitions presented, as well as the debates and action at the last General Conference, prove it; and being urged as the grand reason of action, does not the Reply *avow*, what the Protest *charges*, an extra judicial procedure, going beyond law to accomplish ulterior purposes? The petitions, too, and the agitation, by Methodist Preachers, in which, to a great extent, they had their origin, were in direct violation of the advice and authority of the two preceding General Conferences, as we have shown, and the action of the last General Conference dishonoring, as we have further shown, the assurances of the same body in 1836 and 1840. The South, on these accounts, was the less inclined to believe that the umpire Conferences could be any longer relied upon, as likely to pursue a medium, compromise course, as settled by the law of the Church. Unprotected by the pledge of public law, upon what can we rely for the security of our rights? What is our safety, as a minority? We can only judge the future from the past; and what hope of in-

demnity is afforded by the review? The conviction is general in the South, that while we remain a mere minority, as now, the evil is without remedy.

On all the great interests of the main question, there is no division of public opinion and feeling, except as individual cases usually form exceptions to general rules. These exceptions, it is believed, are not understood North, either as it regards the political or religious aspects of the question. In the pending controversy in the Methodist Church, small portions of the ministry and membership, in border sections South, have manifested an ill-disguised inclination, if not purpose, so to adjust themselves to any emergency ahead, that it will be an easy matter to find themselves, or be found, wherever the greatest indemnity of circumstances may happen to present the only attraction they are likely to yield to. Another portion, small, it is believed, have been misled by the false issues so constantly and plausibly kept before them; and still another portion is met with, whose affinities are entirely northern. From the manner in which these several classes have reported themselves, it has been inferred North, as assumed here, that State policy and public popular conviction can be so controlled in Kentucky, Missouri, Virginia, and Maryland, as to favor the views and movements of the North on this subject. Those who affect to think so, however, have entirely miscalculated, and we greatly fear that it will be found necessary, in these States, to resist such a state of things, under the impulse of reasons much stronger than the abstractions of Church casuistry. It is believed that the opinions of Southern Methodism, on the subject of slavery, type pretty fairly the opinions of general society, including those who *do*, and *those who do not* hold slaves. Southern Methodists, (with exceptions as above,) maintain that no abstract principle can become a rule of action without regard to circumstances. Here the North and South divide on the subject of slavery. That slavery is an evil, is admitted on all hands. The South maintains, however, that circumstances, obviously Providential, and not subject to the control of the actor or agent, so modify the question that the abstract wrong in the case ceases to be a correct principle of judgment, and the real morality of slavery can only be judged of correctly, in view of circumstances which may either *increase* or *mitigate* the evil, and gives it, in fact, its only proper moral character. By this rule we are always willing to be judged. The reasoning of the Reply admits the majority acted without the warrant of law in Bishop Andrew's case, and it was this defection and trespass, as indicating the general position of the North, which stirred the South to resistance. The majority required not merely what they knew to be *legally* impracticable, but what they knew to be *contrary* to law, and a *penal* offence. They said, in terms which cannot be misunderstood where the English language is known, that Bishop Andrew, as a citizen of Georgia, must violate the obligations of citizenship in that State, or cease to be a Bishop of the Methodist Episcopal Church. They required of him an act unlawful in itself, in the State of his residence, and did it while a plain law of the Church gave public and formal assurance *it should not be done*. The Reply further, in the whole tenor of its argument, admits that Bishop Andrew became "unacceptable" to the North, without having violated any law or rule of the Church. It will certainly be admitted that a Bishop holds office according to rule and law regulating the conduct and duties of a Bishop. If, then, Bishop Andrew had not infringed these, which is not assumed, and yet had become unacceptable to the North, does it not show that the requirements of the North went beyond law, and exacted, as the condition of acceptability, what the law did not require? It was against such injustice the South protested, and will always defend herself.

A very large proportion of the Minority of the South, in the late General Conference, have no connection with slavery, and so far as it may depend upon themselves, never ex-

pect to have any. Many of them have done much, and expect to do more, for the freedom of the negro. They had themselves manumitted a large number of slaves, and had been the means of securing the freedom of many others, and they are not prepared to submit to be libelled and proscribed by those who never *have* and are never *likely* to do any thing for the negro, and whose zeal seems to derive its principal pabulum from the success of their efforts, in preventing others from doing any thing. Beside, we have political relations, and owe civil allegiance in the States in which we reside; and is it to be supposed, that civil authority and public opinion, are to be controlled in the slave holding States, by non-resident ecclesiastical rulers, or that Southern Methodists will submit and truckle to such interference? Mitigated as is the state of slavery, say in Maryland, Western Virginia, Kentucky, and Missouri; seen as it is, that the Northern division of the Church intends to regulate the rights of citizenship and property as it regards the ministry and membership within these States, or else subject them to a disfranchisement of Church rights; will these States continue to wink at such interference, combined as they know it to be, with an extensive confederate purpose, on the part of the North, to compel the Church South to submit to their creed and policy on the subject of slavery? Tolerant and good natured as these States are known to have been, those who are thus abusing public clemency, may find before long, that they have reached a limit, beyond which they are not to pass, in hope of further forbearance. As the freedom of discussion degenerates into insolence of dictation, public attention is becoming wakeful, and its watchfulness more and more retributive. There has recently been a most labored effort, by ministers and members of the Methodist Episcopal Church, in Maryland, Western Virginia, Kentucky, and Missouri, to make the impression North, that as large portions of the citizens of these States have no personal connection with slavery, they can be detached from Southern interests, and induced to ally themselves with Northern abolition and anti-slavery. This is no doubt so, with regard to some. The fact just named proves it. But so far as it is the purpose to induce the belief that the great mass of non-slave holding citizens in these States, have any sympathy with Northern interference respecting slavery, or can be induced to separate in feeling and interest, from those holding slaves about them, our Southern men with Northern predilections, will find themselves sadly mistaken. This class of citizens may not approve—may even be opposed to slavery, but knowing the rights and cherishing the interests of the States to which they belong, they will always be found ready to resist any interference with them, come from what quarter it may. Thousands of them, ninety nine in the hundred, who would be glad to see slavery extinct in the land, will never consent to emancipation except upon the condition, that as rapidly as the slaves are freed, they shall be removed from the State. Remove them with the prospect that they will do well, and very few will object to their freedom.

Another movement on the part of the late General Conference, regarded by the South as high-handed and dangerous, was an attempt to establish the novel doctrine, that before a Methodist traveling preacher, owning slaves, is fairly entitled to the protection of the law of exception in the Discipline, he must do all in his power to effect the freedom of his slaves by *removal* to another State or country. A very slight analysis of the proceedings in the cases of Bishop Andrew and Harding, will show that in the adjudication in either case, this lawless expedient, assumed (however indirectly,) the shape of an actual requirement, for it was urged that however impracticable or unlawful emancipation might be in Georgia and Maryland, the difficulty might have been overcome by removal, and the defendants are accordingly punished for not availing themselves of it, although the requirement is utterly without the pale of law—contrary to

its letter and purpose, and extra-legal in every respect in which it can be looked at. Can Methodism exist South, when it requires Southern ministers to expatriate themselves in order to secure the favor and protection of the Church? How many Southern ministers will avail themselves of such an obliging *overture*, we have no means of deciding. To the charge made in form and variously insinuated in high places at the North, that the Southern ministry of the Methodist Episcopal Church are pro-slavery in principle and practice, and that they promote and uphold the system from the love of it; that in this respect they are not Methodists according to the Discipline, and have been trying to innovate, so as to induce the Church to depart from long established landmarks on the subject, we oppose an explicit denial, and pronounce the charge as destitute of truth as it is replete with injustice and outrage. The South has not moved in this matter at any period, except in self defence, when the Church has been disposed to decree, that a civil relation, sanctioned by the supreme authority of the nation, was incompatible with the sanctity of Church relations. The South has uniformly acted in resistance of Northern innovation. And especially has the South been satisfied since the last compromise regulation of 1816, *affranchising* slave holding ministers as it regards all the offices of the Church, in States where emancipation is impracticable. We have sought no change—we wanted none. We asked for none at the late General Conference. We are perfectly satisfied with the law as it is, and as it has been understood and interpreted both by the General Conference and the executive department up to 1844. We do object, however, and we never will submit to the construction put upon the law at the last General Conference. The Majority of that body changed the law essentially, by giving it a constructive application unknown in the whole range of its administration; and the practical effect is new legislation on the subject of slavery, in direct conflict with existing law, as explained by the General Conference, assuming, among other things, that no owner of slaves, under any circumstances, however providential, and whatever the laws of the State may be, can hold or exercise the office of Bishop in the Methodist Episcopal Church. This proposition of the Majority misrepresents the law, and disfranchises in terms, every slave holding minister in the South, and in fact *all* absolutely, as all are liable, without any agency of their own, to become the owners of slaves, and emancipation is no where practicable, except in two or three of the States, contingently. This decision of the General Conference the South will not submit to, because they cannot do so without self destruction. The South could not, without ruin, and will not from principle, submit to the inequality of right in the ministry, North and South, assumed and attempted to be established, both by General Conference action and in the Reply. We merely claimed the right of equality, on the basis of law, not as enforcable, but simply declared and protected, in the theory of government. While affranchised in law, we were willing to leave it to the Majority to avail themselves, at any time, of the right of franchise, as they saw proper. Enfranchisement, however, by declaratory enactment, with the avowed purpose, as by the late General Conference, of *disfranchisement in fact*, is too gross an outrage on all social equity to be borne by the Southern ministry, and is accordingly resisted with almost perfect unanimity.

In relation to the charge brought against the Southern Methodist Ministry, that they are the supporters and promoters of slavery, although found in the Northern General Conference papers, we are by no means anxious, beyond the extent to which it compels us, to ascribe the charge to improper motives, on the part of those who make it. We are perfectly willing to be compared with those who thus defame us, at any time. Appealing to what we have done, and are doing for the slave, we are prepared to abide

the judgment of the wise and the good. To be reproached and misrepresented, by those who have never appealed to any rational means to remove the evil of slavery, and who seek to atone for the notorious defect, by abusing those who are doing all that can be safely done to this effect, that is, really *all that is done at all*, may annoy but cannot alarm the Southern Church. We regard ourselves as involved in a great providential movement, connected with the destinies of the African race, here and elsewhere. Were it in our power, without interfering with the rights of others, we would release them from civil bondage; but as it is not, and christianity directs us not to oppose ourselves to civil authority, but instead, to submit to it, as "the ordinance of God," we are content to do what we are allowed to, to alleviate and render tolerable, a condition resulting from no act of ours, but having its origin in the organic arrangements of civil society. With these views, we shall pursue our course undeterred by any amount of cursing or abuse from our enemies, until we shall have fulfilled our mission, or Providence shall indicate a different course of action. The Church South has been the means of the emancipation of thousands of slaves. Methodist ministers alone, since 1775, have given freedom to thousands, held in their own right. Some have freed from thirty to sixty at a time. And not only have they aimed at the good of the negro in this way, but they have actually evangelized, including the dead and the living, several hundred thousand of them during the last seventy years, beside contributing to the improvement of their condition in other respects, vitally connected with the happiness of time and the hopes of eternity. And but for the censorship and unkindness of the North, (large portions always excepted) both to the negro and his benefactors Southern Methodism had achieved for the slave infinitely more than it has. Northern uncharitableness, in the shape of bitter denunciation and arrogant interference, tends every year to rivet the fetters and prolong the captivity of the Southern slave. Who can estimate the incalculable, the eternal mischief resulting from the conduct of the North, to the great and noble, the God-like cause of emancipation and colonization? These can only exist and operate in this country, *as cause and effect*. They are related inseparable developments of the benevolent energies of a great people. The one will not, cannot advance without the other. Together, they constitute the hope of the country, in relation to this most exciting and important subject. Emancipation without removal, without colonization, is but the dream of the visionary, if, indeed, visionary ever had such a dream. The very thought is folly; it cannot be. And nothing is more certain, than that the conduct of the North, respecting slavery, has arrested, almost entirely, both emancipation and colonization. They have re-enslaved the negro of the South. They have rolled back and involved in darkness, the tide of light and life, on its passage to Africa. In the year 1830, more negroes obtained their freedom in Kentucky, than have been freed during the fourteen years since, on account of Northern interference with what did not in any way belong to them. And the same is true, and to a much greater extent, of other portions of the South. There was a general disposition to favor emancipation, upon condition of removal. But, alas, how has this fair work of God been defaced and thrown down by the insane extravagance, the nightmare frenzy of Northern abolitionism, aided, in but too many instances, by heads and hands consecrated, and with the vows of God upon them, for other purposes! And is it not indeed grievous, most afflicting, to see the old anti-slavery party falling off from this noble work of God and man, for the weal of the negro, wherever found, and lending themselves to measures and movements, which, by retarding the gradual freedom of the enslaved negro and African Colonization, must of necessity give vigor and perpetuity to the curse and infamy even of the slave trade itself. The more immediate

vils, however, of anti-slavery agitation, connect with our civil and political rela-
ons as a confederacy of free and slave States. Of these agitators, Mr. Frelinghuysen
marks, they are "seeking to destroy our happy Union." Chancellor Walworth says,
hey are contemplating a violation of the rights of property secured by the constitu-
on they are sworn to support, and pursuing measures which must lead to a civil war."
he lessons of experience and the warning voice of history are lost upon this class of
sturbers. What do they care, that according to a late English journal, a standing ar-
y in the West Indies, the most recent example to which they can appeal, is necessary
o stifle the seeds of revolt consequent on achieved slave emancipation." Even the
rtuous Clarkson, their own witness, is unheeded by them when he declares that, "the
tent to which voluntary emancipation, in view of colonization in Africa, had taken
ace in the United States, is the most surprising exhibition of human virtue, to be met
ith in the whole history of negro emancipation."

The boast of the Majority, so much relied upon in the Reply, that the Episcopacy in
e whole line of Bishops, from Coke to the present worthy Bench, has never had any
nnection with slavery, until the unfortunate dereliction of Bishop Andrew, is rather
emature. The Rev. Wm. Hammet, of Charleston, South Carolina, and some time
ssionary in the West Indies, on leaving the Methodist Church and setting up for him-
lf, as a separatist, published, in 1792, a virulent pamphlet against Dr. Coke, and
ong many other charges enumerated, the most of which are clearly and ably refuted
Dr. Coke, in his answer, he brings to view Dr. Coke's connection with slavery in the
and of St. Vincent, alledging that the Dr. had used the Caribb Mission fund, in the
rchase of a lot of negroes to work a cotton and coffee plantation, presented by the
lonial Legislature, for the benefit of the mission. Dr. Coke, in his reply, now before
e, printed in London 1793, in a very frank and satisfactory manner, disposes of many
the statements and inferences of Mr. Hammet, in reference to this transaction, as
correct and unjust, but *distinctly and in various forms admits the fact*, that with money
had collected for the Caribb Mission, and funds of his own, he had, at the urgent
licitations of friends, *purchased the slaves as charged*, and had held and worked them
such, upon the cotton division of the mission plantation. The Dr. assigns as the
incipal reason of this purchase and ownership of slaves, that he could not have the
antation worked to advantage by either free negroes or hired slaves. He says, "in
swer to the charge of my purchasing slaves, I shall give an account of the transac-
on, (the purchase,) with all possible candor. My friends on all sides of me urged,
at the present might be considered as an *exempt* case—that the gift of the land was un-
ubtedly Providential—that the *slaves purchased* for the cultivation of it, would cer-
inly be treated by *us*, in the tenderest manner. These and *other* arguments *prevailed*,
d I gave *directions* that a sufficient supply *should be procured* for the cultivation of
tton on the low land." Whatever we may think of it, the missionary zeal of Dr.
oke made him a slave holder, by actual deliberate purchase. This the Dr. avows in
planation of his course. He says further: "I had hardly left the Island, when my
tablished principles began to operate. I considered that no exempt case could justify
e proceeding—that we are not to do evil that good may come. The wound continued
deepen in my mind for some months, till I at last wrote from Baltimore to inform
r missionary, (Mr. Baxter,) that I could not admit of any slaves upon the estate, on
y consideration. Thus I have stated the whole business of the slaves. At the time I
ted for the best, and *humanum est errare*." The Dr. repudiates the charge of an
use of the missionary fund, by stating that out of his own private funds he paid to
e mission, an amount equivalent to the sum he had used in the purchase of the slaves,

and adds that he was "the only looser in a pecuniary point of view." The Dr. does not say that he gave freedom to these slaves; there is no allusion to any such fact, unless it may be inferred from the Dr's. consciousness of wrong, and the order to remove the slaves from the plantation. In the absence of evidence, however, I take it for granted the Dr. freed them, although it would be much more satisfactory to many no doubt to *know* that he did. I introduce this historical fact, about the truth of which no one can doubt, merely to show that the paraded assumption of the Reply, our Northern Journals, and the North generally, that no Bishop of the Methodist Episcopal Church has ever had any connection with slavery, except Bishop Andrew, is not true, and by consequence, that the argument and action of the Majority, based upon it, fall to the ground, as it is incontestably certain, that the first Bishop of the Methodist Episcopal Church was a slave holder by voluntary purchase, and not as Bishop Andrew, by the unavoidable control of circumstances. All that has been said, therefore, about the law of usage, invariable custom, &c. as excluding slavery from the Episcopacy not being true, is of course entirely inapplicable, and were it true, would be equally so. Lord Bacon lays it down as an incontrovertible principle of law and morals: "In all true judgment, there is a very great difference between an usage, to prove a thing lawful, and a non-usage to prove it unlawful." The difference is, the first *may* be legitimate proof whereas the second is always preposterous. And yet it ranks as a principal argument against the Protest of the South. Because it is true, in the instance of all the Presidents of the United States from the North, that no one has been re-elected, therefore it is a settled principle of the government, that a Northern President can serve but for four years—a single term. Because it is equally true, that all the Southern Presidents have served the double term of eight years, therefore, it is a settled principle of the government that all Southern Presidents shall be re-elected. By the logic of our Northern friends, no one can question the validity of the claim or the soundness of the demonstration!

The attempt to show that the North has conceded to the South, in the election of Southern men as Bishops, is too absurd to require more than a brief notice. Dividing by Conference lines, giving Baltimore to the North, with which she has always acted until she divided on the question now agitating the Church, we have had but two Southern Bishops, McKendree and Andrew. The first three Bishops of the Church were foreigners—English abolitionists of the school of Sharpe and Clarkson. Bishop George was from the Baltimore Conference, North. Roberts, Soule, Hedding, Fisk, Morris, Waugh, Hamline, and Janes, were elected as Northern men. McKendree was elected without reference to the slave question. Bishop Andrew's election, by Northern votes was not a concession to the South. The circumstances under which Bishop Andrew was elected, have been utterly misrepresented. As was perfectly natural, the Southern delegates in 1832, were anxious that one of the Bishops to be elected, should be from the South. It so happened, however, (without any reference to slavery,) that the only individuals upon whom the Southern delegates could generally unite, were in fact slave holders, and as the Northern majority were not backward to let it be known, that no slave holder could be elected, the Southern delegates determined to have no candidate, and allow the majority to select the men they might prefer. They selected J. C. Andrew as one, knowing he was not the choice of the South, and that they were not gratifying the Southern delegates, (except a few,) in doing so. It was the avowed policy of the North, to elect a Southern man, that there might be no apparent ground of complaint from the South, and yet to accomplish their own purposes in the exclusion of the men preferred by the South, who happened to be the owners of slaves. The North

did not elect Bishop Andrew as the candidate of the South. They knew he was not the choice of the South, and would not be supported by a majority of the Southern delegates, especially as the latter knew he had been fixed upon by the North for the express purpose of defeating the wishes of the South. The idea therefore, so industriously inculcated, that Bishop Andrew and the South have violated the conditions of a private understanding, in the instance of the Bishop's election, by the position they assumed at the late General Conference, has no foundation in truth. Furthermore, Northern men elected Bishop Andrew without consulting him—without coming to any understanding with him or the South on the subject. Northern views and purposes were alone consulted. The South was not deferred to, nor cared for in the matter, beyond the fact, well understood at the time, as a matter of policy, that the election of a Southern man would silence the South, or compel the avowal, they wanted a slave holding Bishop! Such are the facts, as I understood them at the time. and I believe them to be correct; from which it will not be difficult to see to what extent Bishop Andrew and the South are indebted to Northern magnanimity, so plausibly set forth in the Reply, and various other accounts we have had of Bishop Andrew's election. No little stress has been laid upon the fact, that some suggestions appeared in some of the Southern papers of the Church, to the effect, that the election of a slave holder to the Episcopacy, would go far to quiet the apprehensions of many in the South, that a purpose existed in the North, to proscribe the Southern ministry in this respect, so far as they might be connected with slavery. By the law of the Church and the authoritative exposition of the law by the General Conference, no legal barrier existed to preclude such election, and the offense, therefore, alledged in the Reply, the Christian Advocate and Journal, and elsewhere, could only mean, that in the judgment of some, the interest of the South might be promoted, should the North be sufficiently just and generous, not to make an objection of *that* which the law had explicitly declared should not operate any forfeiture of right, in view of any of the offices of the Church. The only offense charged, was simply to state the constitutional claim of eligibility—the legal qualification necessary—not a right to be elected in fact, of which no one ever thought—but the claim of being eligible; under no legal disability, which is in itself one of the plainest and best defined rights known in the theory of government. And right to this effect, and so understood, is as clearly secured to the Southern slave holder, who cannot legally emancipate his slaves, and secure to them freedom after emancipation, as any other right belonging to the ministry, North or South. And to make the mere claim of this right an offense, is so manifestly unjust, that in itself it furnishes a strong reason with the South for the proposed separation. If we are to be punished for barely reminding the North of a constitutional claim, it is really high time we had placed ourselves in a position to resist such constructive nullification of law and right. This whole argument, however, proceeds upon a shameful misstatement of facts. It is warily attempted to make the impression, that the South first moved in this matter, and put forth an unheard of, unlawful claim, whereas we have seen that the right is an undoubted one, secured by law and asserted by the General Conference; and it is further true, that the South was *silent* until after the *public denial* of the right by a Northern "Convention of ministers and members of the Methodist Episcopal Church," and the purpose officially avowed to bring the matter before the next General Conference. The subject was first agitated in the North, and assumed there a most exciting and threatening aspect. This was well known to Dr. Bond, and to both the *authors* and *signers* of the Reply, for it had extensive publicity in the papers of the Church, before a word was heard from the South on the subject. This novel Northern movement was regarded as so manifestly

offensive and out of character, that the Christian Advocate and Journal vindicated the claim of the South as clear matter of right. (whether expedient to assert it or not,) and rebuked the Northern agitators, as guilty of an obvious outrage upon Southern right and feeling, and informing them at the same time, that they could not sustain their position before the Church. The conduct of the South, therefore, gravely charged as an offense, in the shape of a daring innovation, was a simple act of self defence against Northern aggression, notoriously committed in defiance of law, and in the face of the whole Church, and the repeated formal attempts to make a contrary impression, injurious to the South, has rendered it necessary to direct attention, both to the misstatement of fact and the manifest injustice of the conclusion, founded upon it. The only force found in the argument, recoils upon the North, as every one will perceive by barely looking at it.

As having a direct bearing upon this whole controversy, it is important to notice, that the rights of the ministry, as affected by simple slave holding, in States where emancipation is not practicable, having been brought by *memorial* from Westmoreland, Virginia, before two General Conferences successively, those of 1836 and 1840 ; the latter decided, that "the Discipline of the Church having provided for the ordination of ministers thus circumstanced, the course pursued by the Baltimore Conference, (within whose limits Westmoreland is found,) operates an *abridgement of right*, and therefore, furnishes *just ground* of complaint. It is a *departure* from the plain intendment of law in the case, and a *violation*, not less of *express compact* than of social justice, to withhold ordination for *reasons* which the provisions of the law plainly declare are *not* to be considered as a *forfeiture* of right." Here the General Conference style the law on slavery an *express compact*, and by various forms of proof, we have shown, that it was a compromise as truly as a compact. But this by the way. The decision from which we quote, adds, "attaching themselves to the Church, as citizens of Virginia, where in the obvious sense of the Discipline, emancipation *is impracticable*, the holding of slaves, or failure to emancipate them, cannot be plead in bar to the *right* of ordination. The Church has *failed* to redeem the pledge of *its own laws*, by refusing or failing to promote to office, ministers in whose case *no disability* attaches on the ground of slavery. The *exception* in the Discipline is, therefore, strictly applicable to all ministers and members of the Methodist Episcopal Church, holding slaves in Virginia, and they appear clearly *entitled* to the benefit of the rule, made and provided in such cases." The question thus settled by the General Conference, can be misunderstood by no one, and yet the Baltimore Conference has continued to withhold justice from the ministry connected with slavery in this section of Virginia, in violation both of general law and special adjudication, by the General Conference, had upon the law. The Baltimore Conference has found *judicial* security against arraignment for such injustice, in the fact, that that body has so managed, as to be always able to defy proof that ordination was withheld on account of slavery alone, and not for other reasons. How far *the fair*, *the just*, and *the honorable*, connect with the *grounds* of this impunity, in resisting the authority of the General Conference, those interested must determine for themselves. That it is a procedure unwarranted by law, and in violation of its plain provisions, as solemnly adjudicated upon by the General Conference, no one, it is believed. will entertain a doubt. The law and the General Conference have both been set aside. The decision adds, "the petitioners, in accordance with the provisions of the Discipline, whether said provisions be right or wrong, *are entitled to remedy*," and suggests in terms, that a *transfer* to the Virginia Conference, is perhaps, under all the circumstances, the only "conclusive remedy" for the party aggrieved. Whether the portion of the Church in this section of Virginia, will act upon the suggestion of the General

Conference, and seek connection with the Virginia Conference, or remain as heretofore, in the Baltimore Conference, or seek an independent Conference existence, is a matter about which we have nothing to say. The *principle* involved however, was too important to be overlooked, and having placed the matter in its proper light, as it regards law and right, we leave it where it was left by the decision of the General Conference.

A very staid effort has been made to convince the church and world that as the only condition of continued union, the South insists that slavery must be admitted into the Episcopacy. The sophistry of this position can have escaped the notice of but few. The fact is, as we have shown at large, in various ways, the last General Conference avowed the principle, and took stand upon the ground, that no Minister of the Methodist Episcopal Church, having connection with slavery, under any circumstances, could, by constitutional right, exercise the office of Bishop; and further, that the principle assumed, and the ground thus taken, were to constitute the only condition upon which the Union between the North and the South can be perpetuated. So far, therefore, from the South setting up a new term or condition of Union, the reverse is true, and the innovation comes from the North; for they proceeded to make that a condition of Union, which, in the shape of law, and formal declaration by the General Conference, *they had assured* the church and the world should not be required of *any* man, in view of *any* of the various grades of office known in the ministry of the Methodist Episcopal Church. And the truth turns out to be, that instead of Southern innovation, we have Northern violation of law and right, beside the dishonored pledge of the General Conference, upon which the South relied as security against the wrong thus inflicted. The question is not, whether Southern Methodist Preachers ought not to concede that no slave holder shall ever exercise the functions of Bishop, rather than divide the Church, but whether it is *their duty* to submit to a *declared inequality of right, contrary to law*, and knowing that such submission must forever cripple and degrade the Church in the South, where public opinion is known to be utterly intolerant of any such assumption. The offense of the North is a denial and abuse of right secured by law. The question of slavery is *settled by law*. Does the *law* disfranchise? It does not, and until it does, the South says the *Church* shall not. What the South assumes, in this respect, seems to have been *admitted* as well as denied by the North. By two very important votes, the last General Conference decided that a slave holder may be a Bishop of the Methodist Episcopal Church, for Bishop Andrew was declared *to be such;* and this certainly amounts to a virtual declaration, that a slave holder may be constitutionally elected to the office. Whatever would bar his *election* would, of course, bar his *holding* office. What right, then, has the Conference to depose or punish for that which constitutes no barrier to election? As the South had been profoundly silent on the subject, why did the North set up the hue and cry about the election of a slave holding Bishop? What would have been thought, North, had ten thousand petitioners from the South prayed the last General Conference not to elect a *negro a Bishop?* It would not be difficult to show they had quite as good reasons for getting up petitions to this effect, as the North had for the conduct of which we complain. The stale charge, and contemptible as it is stale, that certain Southern Ministers favor separation, because they wish to become *Bishops*, is only entitled to notice, because men from whom nothing of the kind could have been expected, have risked the disreputation of giving it currency. When it is recollected, however, that some men have no means of judging others, except by themselves, and advert to the additional fact, that there is equally good, and indeed much stronger reason to believe that those who ma-

lign and defame in this way, are acting exclusively with a view to their own personal and party interests, the charge is replied to quite beyond its merits.

A similar perversion of facts is found in the charge, that the South declined the proposition of the Bishops, to postpone the whole subject until another General Conference, because they would not submit to Bishop Andrew's resignation, *ad interim*. This charge is wholly untrue. No such proposition was made by the Bishops. Their proposition was, that Bishop Andrew should, meanwhile, perform his Episcopal functions as usual, except that he was not to have charge in the North, or where he might be objected to as the owner of slaves; and the whole South, to a man, favored the proposition. The Reply treats the charge of the Protest, that Bishop Andrew was proceeded against extra-judicially, as something quite monstrous, and yet no small portion of its reasoning plainly admits the justice of the allegation. The most common and popular meaning of extra-judicial, is, out of the ordinary course of judicial procedure; and the Reply not only admits the proceeding in Bishop Andrew's case to be of this character, but argues at length to prove that nothing was left the Majority, in the exigence of the case, but to pursue such a course, and thus proves what the Protest assumes. The Protest also charges a lawless procedure, and the Reply not only admits, but directly assumes, that having a right to do so, the Majority, under the stress of circumstances, deemed it necessary to act without any appeal to law, and thus clearly sustains the Protest in this instance also. The whole burden of the Manifesto goes to show, that Bishop Andrew was laid aside, not for any offence against any law of the Church, but because he had rendered himself unacceptable to the North, by marrying a lady possessed of slaves, although years before, the Providence of God had made him the owner of slaves, without his consent, and against his will, and in a State where he is imperatively *required* to hold them, and even an attempt to free them, subjects him to prosecution and punishment. See the law.

Not offending against, but being fully protected by law, Bishop Andrew could only be unacceptable to the North so far as the law is so. The real cause of his being unacceptable, is found in the fact, that the rapid growth of abolition and anti-slavery, North, has *antiquated* the law, and it ceases to type Methodist opinion and feeling on the subject of slavery. Both are far ahead of law, and the fact is admitted by the Reply, and urged as a *reason of action*. The Reply argues, that as the Episcopacy is common to the whole Church, law or no law, slavery must be kept out of it, because the North will not tolerate it. The Reply, however, forgets to argue further, that the General Conference is as common to the whole Church, as Episcopacy, and much more so in many respects, (and, according to the Repliers, a thousand fold more important,) and, therefore, must be kept free from slavery too. The Majority insist that the purpose of the constitution can only be carried out by having Bishops acceptable everywhere. Of course they conscientiously electioneered and voted for men as Bishops, in May last, that they believed would be acceptable to the whole Church, South as well as North, or otherwise must have dishonored their own principles. Had Bishop Andrew yielded to the demands of the Majority, as going beyond, and in contravention of the law in the case, he would have rendered himself unacceptable to the whole South; for the North to require it, therefore, was, upon their own showing, a violation of the constitution.

One of the false issues attempted to be made by the Reply, and some of our Northern Church papers, is, that the North is opposed to slavery; the South resists their hostile demonstrations; therefore the South is pro-slavery. This logic seems to be endorsed as perfectly irrefutable by a large portion of the Northern Church, destitute, as it is,

of even the semblance of either reason or argument. It does not seem to be taken into the account at all, that the opposition of the South may relate entirely to what they regard as the unlawful and dangerous means resorted to in order to correct the evil. Two physicians meet at the bed-side of a patient; one prescribes, and the other opposes the prescription; therefore the latter seeks the death of the patient. Comment is unnecessary.

The Reply utterly perverts the position of the Protest with regard to "the reasons of the law" of slavery. The Protest, assuming the general law as a compromise arrangement, settling the principle of action upon which the parties agreed to act, appeals to the "reasons," or final cause of such an arrangement, to show that the practical purpose had in view would be essentially defeated, by making *any* class of ministers an *exception* to its operation; and in all that is said in the Reply, the real principle involved is kept entirely out of sight, and not even glanced at.

Another specimen of the consistency of the Majority, respecting slavery, is, that the General Conference is everything, and the Episcopacy nothing, comparatively, and yet slavery in the General Conference, where it has been found since 1792, does no harm, or at least is to be tolerated, while, in the Episcopacy, it is ruinous of the Church! In the greater it is very well, but in the less it is not to be endured! Bishop Hamline's "Croton River" may be polluted with it, but if it be found in the Episcopal Reservoir, supplied by this *same* river, (no matter about the other reservoirs,) woe beide the Church! In one breath, or paragraph, Bishop Andrew is pure and spotless, and the laudation of his virtues, superior fitness, and admirable qualifications, is almost offensive to good taste; in another, it is gravely debated whether he ought not to be impeached for improper conduct, and he is declared to have violated an important trust, and to be a dishonored man. The charge against Bishop Andrew was, connection with slavery. The law of slavery consists of the general rule on that subject, and the 10th section. The arraignment of the Bishop is based upon an assumed infraction, not of either of these, but one of the restrictive articles, having no reference to the subject, and binding only upon the *triers* of Bishop Andrew. Both the general rule and the specific law regulating the subject, with regard to all our ministers, are evaded, and the constitution appealed to, at a point having no reference to the matter in hand; and thus, by construction, we have *ex post facto* legislation, for the purpose of making an offence of that, which was not such, by the only law applicable in the case. In proceeding to action, they quote the constitution as law, but when held responsible for the action had, they assure us no law was appealed to, but the emergency met and disposed of without reference to law! The Reply assumes the latter, and Finley's Preamble proves the former.

The Reply says it was prevalently believed by the Majority, that Bishop Andrew might have been *impeached* for "improper conduct," under the express provisions of the Discipline. The only improper conduct charged, was slave holding. On this subject we have express law, it is true, but Doctors Durbin, Peck, and Elliott, as the expounders of law for the Majority, maintain that it does not apply to Bishops, and of course the Discipline has no "express provisions" of any kind, applicable in the case. In the absence of all law then, as the Doctors contend, where are we to look for the "express provisions" of law on which to base an impeachment? No latitude of meaning attached to the phrase "improper conduct," will answer the purpose of the Repliers, for slave holding is the only conduct in question, and this, it is alledged, the law does not recognize as "improper" in the instance of a Bishop, as that officer is exempt from its claims. Impeachment, therefore, was impossible, in the premises of the difficulty, ac-

cording to the showing of the very men who claim no small share of credit on the ground of forbearance, that is, for not doing what, according to their own argument, they could not do. From the reasoning in portions of the Reply, and particularly in some of the speeches on the same side, the alledged misconduct of Bishop Andrew would seem to be the mere fact, that he had rendered himself, or by some means had become unacceptable to the North. He could not, it is said, be a General Superintendent. Why not? In view of what law is he delinquent? We are told he is a slave holder. Grant it. On this subject we have a law, and Doctors Durbin, Peck and Elliott, or if it be preferred, the Majority *admit*, as plainly as they *deny*, that it includes Bishops as well as other Ministers. By this law Bishop Andrew is innocent —he is fully protected, and notwithstanding the argument of the Reply—of Bishop Hamline and others, to prove that the Majority are *a law to themselves*, still it is obviously felt North, as well as South, that it is necessary to invoke some other law, to prove delinquency in view of some other standard, in order to give the right of punishment

Since writing the preceding sentence, I have opened a letter from an old veteran of the North, the pupil of Asbury, and the associate of Emory, to read—"I have no doubt you have the *Discipline* on your side—Bond and others have *expediency*." Another, from a different Northern Conference, says, "God speed you, and so say thousands North of the line." I could quote pages to the same effect, from Northern men, notwithstanding the blustering gasconade with which it is attempted to make the impression that the whole Church, North, regards the Church, South, as guilty of apostacy from the first principles of Methodism. The Reply avows a change of Northern sentiment, and the law remaining the same, the change avowed explains why Bishop Andrew is unacceptable North. Could this be more conclusively proved, than by the fact that Finley's resolution lays Bishop Andrew aside upon a prohibition of the constitution, applying only to the General Conference itself, and which could only be brought to bear upon Bishop Andrew by a manifest abuse of judicial trust. The real difficulty, the only cause of embarrassment, is found in the relations between the Church North, and the Discipline, and not in the relations between Bishop Andrew and the law

Another proof, equally strong and pertinent, is furnished by the preface to the resolution of Griffith and Davis, in which the *present* is declared to be the least favorable period in our history for tolerating a Bishop connected with slavery. And we again ask why? There is the law without change for a quarter of a century. Is it intended to say the Church will not abide by it? The Bible too, is the same. Are we thus notified, that while no want of acceptableness connects with the Bishop's relations to the Bible or Methodism, such want does connect with the *Church!* And what is the inference? Who does not perceive that the Church is in advance of both, and that both are required to yield to the innovations of party expediency? How came it to pass, too that Bishop Andrew was declared, by the Majority, good enough for the office of Bishop, but unfit to perform its duties? By what warrant of candor or consistency do they declare his official incumbency both constitutional and expedient, while he is forbidden and it is inexpedient for him to do the work of a Bishop? Are we to understand, that as Christianity and Methodism had failed to discredit the Bishop, to the satisfaction of the Majority, it devolved upon the *Church* to do it? Another view of the subject conducts us to the same conclusion.

Methodism has always maintained, that all the high moral objects of the ministry connect as essentially with the office of Presbyter as of Bishop. By admitting, therefore, as Methodism always has, that slave holding may, in given circumstances, comport with all the relations and duties of an Elder in the Church of God, it is admitted,

when it is made an objection under the same circumstances in a Bishop, that the Church is influenced by conduct and reasons not disapproved by Heaven, and the Church is thus boastfully presented, as exacting of a Bishop, what it is conceded God himself does not require of an Elder—both being in the same order of the ministry. Should considerations in a matter so weighty as the ministerial office be allowed to control Church action, while it is admitted the Divine conduct is in no way influenced by them? In proof of the disposition and purpose of the Northern Division of the Church to meddle with the question of slavery beyond all existing warrant of political or ecclesiastical law, mark the force of the following language, in one of the principal organs of the Majority—The Western Christian Advocate: "The Methodists have never *yet* taken any measures to bring *their views* to bear upon the *elections* of the country, although *this* is their *privilege*, whenever they may *see fit* to exercise it; and it may be *yet, if it is not now, their duty*, to exercise the elective franchise, constitutionally and legally, *against slavery* and in *favor* of *freedom*." The *policy* thus intimated, if not threatened, can only be brought to bear in *one* or *both* of two ways—in the *election of President* of the United States, or in an attempt *by change* to *destroy the compromise* of the Federal Constitution. The election of President, should the incumbent even be a thorough-going abolitionist, could not be brought "to bear *against slavery*," except by *lateral* methods, and very *indirectly*, and by no means with certain effect at all, and in view of his well known intelligence, we cannot suppose that this was what the editor had his eye upon, when he penned the monitory sentence we have just quoted. The allusion, to have fitness, and be of any force, must have been to the fact formally avowed in other Northern Methodist Papers, that it is not unlikely the three hundred thousand votes of the Northern Methodist Episcopal Church may, from a sense of "duty," and to satisfy the conscience of abolition and anti-slavery, yet be brought to bear upon a change of the national compact "against slavery;" that is, receding from the original condition of Union, as it regards slavery, and of course dissolving the National Confederacy, as all know this would be the result. Unless we have misunderstood this and similar intimations, the South can hardly have been premature in deliberating upon the necessity of separation.

The attempt in the Reply to magnify the state of dread and apprehension in the North, as it regards a slave holding Bishop, is really surprising. How could the North dread, what they knew they had the power of preventing, by having an actual majority of more than two thirds in the General Conference? All the annual and quarterly Conferences—all the societies and individuals who petitioned against the election of a slave holding Bishop, knew the whole alarm or excitement on the subject, if any, had originated North, and that there was really, not only no danger, but no possibility of the election of a slave holder, should Northern men be opposed to the election of one; and the Reply maintains, in behalf of the whole North, that such opposition has always been as universal as notorious in every period of the Church's history. The Reply must intend to maintain the legal ineligibility of a slave holder, or else that the legal abstract right, had become a dead letter by the prevalence of Northern opinion, adverse to law; and in either case, no real alarm could have existed North, and we are perfectly satisfied none did exist, and that the whole was intended for effect. The Northern movement was merely intended to present an array of bayonets against slavery, in any and every shape and aspect, and at as many points as possible. Antagonism and aggression, in view of the *existing order of things* affecting slavery, marked all the petitions presented at the last General Conference. The petitioners present no *actual personal grievances* under which they labor, as creating the right of petition. The right

exercised is a *right of war*, and the *declaration* accompanies its assertion, in the language of the petitions themselves. The Reply claims these petitions as a ground of action against Bishop Andrew; he had sinned, not against the law of the Church, but against Northern "sentiment." But why does not the Reply give us the whole truth in the premises, so that what they *report* might be explained by what they *suppress?* Why not frankly inform the Church, (for they knew it to be true) that a much larger number of petitioners than that against a slave holding Bishop, demanded an absolute separation of the Church from all slavery and slave holders, in all the forms of the one and relations of the other? Why did not the Repliers tell the Church, what they well knew, that the separation of the Episcopacy from slavery was not the *thousandth* part of what was prayed for? Was it just or candid—did it comport with fair dealing not to do so? Why were these facts separated, "the one taken and the other left?" And why have the Northern Advocates pursued a similar course? So far as the petitions are authority, or furnish motive for action, the Majority have declared themselves ready to *unchurch* the whole slave holding portion of the South, provided it is stoutly petitioned for. If such petitions may be a cause of action in one case, why not in another? Does not the silence of the Reply, as to the *main object* of the petitions, furnish the South with just ground of alarm as to their future safety? Why, too, did the slavery committee, to whom all these petitions were referred, endorse the policy of such a course, by the omission even to intimate, that there existed any difficulty in granting all that abolition prayed for? Why such a studied ominous silence? Were they not bound to report upon the character of these petitions? Why did they fail to do so? Why did the committee decline letting it be known, by a full and manly report, that these petitions could only be granted by new legislation on the subject of slavery, entirely subversive of existing law? Why withhold all opinion as to the real character of the petitions, and the reasons and motives of their presentation? Why was all they did report, against the South, who had not infringed the Discipline in any respect, and in favor of the North, whose movements indicated a fixed determination not to submit to it.

In one paragraph the Reply tells us, that the vigilant caution of the Church from the very institution of Episcopacy, had been directed to the great object of securing its purity, by the exclusion of slavery; and in another it is indignantly affirmed, that the virtuous dead, North and South, had never *dreamed* even that such an evil as slavery could ever find its way into the Episcopacy. The logic of the Reply is, that an evil never thought of had been vigilantly guarded against for sixty years. If the last statement be true, what did the caution in question amount to, and of what force is the assumption? If the watchful apprehension did exist, as both affirmed and denied, why no prohibition of law, as the Reply would show? If Bishops are excepted in the application of a special statute relating exclusively to the *ministry*, does not their *non-inclusion* by the law, upon every fair principle of judicial construction, authorize the relation, for sustaining which, Bishop Andrew was punished? The Reply assumes, at least by concession, that no disciplinary provision—no law of the Church covered the case of Bishop Andrew; and it is alleged that the Conference hence treated it as a "practical difficulty," for the removal of which they were compelled to "provide." The Majority thus not only admit, but avow their action to be extra-legal; and if so, was it not by logical necessity, extra-judicial? But to return; why all this wide spread epidemic dismay in the North? There is no legal offence, the Majority being judges, and as a law-abiding portion of the Church, how could they be alarmed? Unless they intended going beyond the provisions of law, and thus drive the South to re-

sistance, why feel uneasy? Moreover, if the Majority, before the emergency in question gave birth to so many rare inventions, regarded themselves as having the undoubted right to displace a Bishop and "give his Bishopric to another," even without trial or enquiry, what ground was there for the foreboding apprehensions of the Reply? Whether we look at the North, therefore, before or after the knowledge of Bishop Andrew's connection with slavery transpired, the assumed alarm and fidgety preparations of the abolition portion of the Church, prove the existence of purpose and pre-arrangement, to disturb the long settled question of slavery, beyond any thing that had preceded. Such purpose has been since avowed by the proper representatives of the abolition party, and how far seconded and sustained by the anti-slavery party, is sufficiently shown in other parts of this Review. The Reply charges, that Bishop Andrew had deliberately or heedlessly placed himself in direct and irreconcilable conflict with the sentiments of a majority of the Church. In relation to this, we enquire, how far *the law* of the Church may be presumed to *reflect* its sentiments? It can never be made appear that Bishop Andrew's conduct was in conflict with the law, and if in conflict with the sentiments of a majority of the Church, then the law is no index of the opinion of the Majority, and is in fact an imposition upon the credulity of the law-abiding portion of the Church. And further, the Reply itself shows, that without either deliberation or heedlessness, without any will or choice of his own, Bishop Andrew had been the owner of slaves for many years before his late marriage, and in a State where emancipation is not only unlawful, but even the attempt is rendered criminal by the laws. Had he not married, the result in every material aspect of the subject would have been the same. The charge, therefore, is without foundation in the facts of the case, the Repliers themselves being witnesses.

It was most confidently affirmed in the case of Harding, that the *only* question was, was it *practicable* for him to emancipate his slaves? All present will recollect, that in debate this was given as the *only principle* upon which the true issue was to hinge. The bare statement, however, to say nothing of the absurdities to which it leads, tortures and misrepresents both the spirit and language of the law. This, so far from being the only question, was but one of three constituting the *main* question. 1st. Was it at all practicable for Harding to emancipate his, or rather his wife's slaves? 2d. Could this be done conformably to the laws of the State in which he lived? And, 3d. Being *in fact* and *legally* practicable, could the liberated slaves enjoy freedom *in Maryland?* Grant that an affirmative answer ought to be given to the first of these questions, still, as such an answer cannot be given to the second and third, the majority either of the Baltimore Conference or of the General Conference, had no more right, *by the law of the Discipline*, to require the emancipation of Harding's slaves, than they had to run them off North, by way of giving them their freedom, that is, had no right at all, in virtue of the law. That they uprightly believed they had such right, at the time of action, is cheerfully conceded in relation to both.

Another argument in Harding's case seems to have found great favor in high places, as it may be made, it was no doubt thought, to answer the purpose when all others fail. It is assumed, that Harding might at least have relinquished his *own right* of property in his wife's negroes, and so freed *himself* from slavery. Beside, that legal contingencies might destroy this argument altogether, it should be borne in mind that such a *quasi* species of emancipation is utterly unknown to the law of Maryland, and therefore not legal, and of course could not in any way have affected the state of servitude in which the negroes would still be left. It must have occurred to every one too, that such a course would not have met the requirement of the Discipline at all, for the Dis-

cipline disavows emancipation as a requirement of law, except where the liberated slave is permitted to enjoy freedom. The argument in question, however, sophistical as disingenuous, does not liberate the slave in fact or form, in whole or in part; freedom, therefore, in any sense, is out of the question, and such an act by Harding, would have been without the sanction of civil or ecclesiastical law, and could not be approved, it seems to us, by humanity or common sense. We are thus driven to the conclusion, that as the principal conditions of the requirement by the law of the Church, were barred by the civil law in Maryland, both the Baltimore Conference and the General Conference violated the letter and intention of the Discipline, in exacting emancipation of Harding. The recent showy and confident attempt to make appear that the *condition* respecting the enjoyment of freedom by the liberated slave, does not apply to traveling preachers, is utterly set aside and overthrown by the reasoning and construction of law in the addresses, both of the Bishops and of the General Conference, in 1836 and 1840, and especially by the judicial decision of the latter in 1840, in the Westmoreland case, and cannot be urged except in direct conflict both with Episcopal and General Conference authority. The argument above, therefore. so far as it may turn upon this item, remains unaffected by the attempt alluded to, and shows our conclusion to be fairly made out. Harding was suspended contrary to the plain letter of the law. That the same was true in the case of Bishop Andrew, we have seen at length.

The bonds imposed upon the Bishop had never existed before they were prepared for the occasion. The Majority sought no vindication of violated law, no redress of injured right. The true cause of action, was the rifeness of abolition and anti-slavery opinion and feeling beyond the anticipation. and contrary to the provisions of law. It was Northern violation of law which rendered the attempted degradation of Bishop Andrew expedient. The Reply labors hard to make it appear, that the Church had always declared and acted upon the principle, that the Episcopacy or a Bishop could in no event, be allowed to have connection with slavery, and yet Dr. Durbin, in debate stated, as did others in substance, "in passing this resolution we *make a clear declaration* against the connection of slavery and our Episcopacy, a declaration which we cannot avoid making if we would, and ought not if we could—a declaration which the world will approve." But if according to the Reply, the declaration was as old as the Church, and well understood by every body, why this formality in re-declaring it? The fact is, it was a declaration of claim on the part of the Majority, not only in open conflict with law, but in utter disregard of trust and confidence created by recent official declarations *to the contrary*. The whole movement shows the party was aiming at the introduction of a new principle, and the declaration and principle being both new, it was seen that their novelty, not less than inconsistency with existing law, would surprise and startle, and hence the necessity of explanation, by way of conciliating the Church. in view of the new order of things about to be introduced. The real difficulty then, existed in others, not in Bishop Andrew, and for the wrong of others he was called to suffer. The Majority evidently acted upon the maxim that the law was behind the age, and that it would not do for the Church to be in the same category, and hence the rapid stride, the furlong in a breath, with which they moved forward to the accomplishment of their purposes. It may not be amiss to enquire why the South are charged with pro-slavery, without being charged with any specific violation of law? Is it intended to say the law is pro-slavery? Or, if not, and we have violated the law, why is it not shown wherein and after what manner. We do not so treat the North. We show in what they have offended and departed from the law and order of the Church. Our char-

ges are specific, and the proof accompanies them. We invoke attention and challenge scrutiny, with regard to the one and the other. Are the scriptures and the law of the Church the standard by which we are judged? If they are, those who charge us with pro-slavery, must show wherein we have offended against these, and failing to do so, no other proof is needed to show the injustice and malignity of the charge. In a word, the wrong inflicted upon the South by the falsehood of the charge, is scarcely a greater outrage than the defamatory manner in which it has been presented.

A specimen of Northern consistency may be found in the fact, that Bishops Soule and Andrew are held to a most rigid responsibility for alledged disobedience to the wishes of the General Conference, in that, the latter, at the instance of the former, consented to assist his senior colleague in the labors and duties of his late Southern tour, in doing which, he did only what the General Conference told him to do; that is, exercise his own judgment as to the propriety of performing any work or not. For these acts Bishops Soule and Andrew are denounced in no measured terms, and it is more than intimated that exemplary punishment awaits them at the next General Conference. Meanwhile, Northern writers, talkers, declaimers, editors, Annual and Quarterly Conferences, leaders' meetings, societies, &c., are found impugning the wisdom and arraigning the action of the General Conference in every form of undisguised and scornful rebuke, without any intimation of either responsibility or punishment, because, forsooth, it is found practicable to hide the contempt they pour upon the General Conference, in this respect, by attempts to defend it in others. Why liability in the one case, and immunity in the other? The action of the Conference, on the Plan of Division, denounced by the North, as *absurd* and *unauthorized*, was united in by every member of the whole body, except *twelve*, taking the vote on the 3d resolution as the *test vote* of the body. That approved by them in the prosecution of Bishop Andrew, was a strictly party movement, on the slavery question, and solemnly protested against by every delegate from thirteen Annual Conferences, beside being opposed by the votes of one half the Delegation from the Baltimore Conference, two thirds of the Philadelphia Delegation, a majority of that from Illinois, with several others from New Jersey, New York, Michigan, Ohio, and Rock River. Fifteen Annual Conferences condemned the action in the case of Bishop Andrew; the vote of one was neutralized by an equal division, and five divided unequally. And the result is, upon this most difficult and delicate question, the Annual Conferences confederated in the General Conference, divided *sixteen* to *fifteen*, the North having a majority of *one*. It is true the Delegation from Texas, two in number, divided, as did that of Baltimore; but it was admitted by the Delegate who voted with the North, that in doing so *he did not represent* any portion of the Texas Conference. The Annual Conferences, therefore, all absolutely equal in their rights, divided as above, and those who are now attempting to sustain the action of the General Conference, in Bishop Andrew's case, know that fifteen Annual Conferences disapproved it, while the action, adopting the Plan of Separation, about which we have so much pragmatic dissent and turbulent abuse, was not opposed by a single Annual Conference, and by only twelve scattering votes of individuals! And yet we are told, respect for the General Conference, as the Representative Council of the Church, compels the conduct we have under notice! The conduct of a bare, the leanest possible majority, counting by Conferences, is defended with all imaginable zeal and ability, as the voice and action of the Church, and, at the same time, the almost unanimous action of the whole body, providing for a peaceable "division of the Church," on "constitutional" principles, is denounced and libelled as the work of "divisionists"—the project of a "Southern clique."

Since May last, sixteen Annual Conferences have officially endorsed the doctrine and positions of the Declaration and Protest, without qualification or exception, and yet, ever and anon, a knot or club of Northern abolitionists or anti-slavery agitators, numbering scarcely as many individuals, are permitted, in the papers of the Church, to ban and defame them as a "clique" of schismatic "separatists." If there be any virtue which can suffer such wrong, such wantonness of injury, without resentment, the South certainly stands in need of it. Would we had the patience and meekness of the sainted John, who, under similar treatment, was content to say, leaving the quiet maxim to explain itself, "no *lie* is of the truth." But to return. We wish to know, (to restrict the general view, here taken, to a single point,) why Bishops Soule and Andrew are to be punished for supposed disobedience to a simple wish of the Majority, explained by themselves, to mean anything or nothing, as Bishop Andrew might happen to understand it, or they find it convenient to decide, while Editors and others, equally the Agents of the Conference, are promised not only impunity, but even reward, in resisting an express and binding "regulation" of the General Conference, having all the force of law? We risk the opinion, that no General Conference, having any respect for the decencies, to say nothing of the graver sanctities of judicial procedure, will ever attempt to arraign Bishops Andrew and Soule for practical dissent from its wishes, without, at the same time, arraigning the whole corps of Editorial and other Censors, who have been in such officious haste to inform the Church and public, that the General Conference of 1844 had so damaged the interests of the Church, that their interference, in contravention of its action, and contempt of its authority, became necessary, to save the Church from ruin! We have not been unmindful of what will be retorted here, that we of the South resisted the same authority, in the case of Bishop Andrew. This is admitted as ostensibly true, but the reader who travels over the ground of this discussion with us, cannot help perceiving, with the facts and evidence before him, how utterly unresembling are the positions of the parties, and how impossible it is to compare them, as standing in anything like the same relation to law and right. *We* resisted the disturbance, by adverse Northern opinion and action, of civil and ecclesiastical rights and relations, established both by the law of the land and of the Church, and the possession of which had been formally guarantied to us by both. *They* resist the will of the Majority without any plea of law, or show of right, beyond that of private judgment. They not only nullify law, shown not to be inconsistent with the constitution, but they destroy the Legislature itself, by the virtual, but plain declaration, that *no law* of the General Conference can bind the Church without its *formal* previous consent. In our case, the reasons of law override its forms. The occasion accredits the right of resistance, and we vindicate its assertion by the emergency of the circumstances under which we act, and hence the difference, both as to the moral and the constitutional grounds of action.

In the instance of the two great points upon which the North and South divide, Slavery and Episcopacy, the Reply, in the first case, denies to Bishops the character of Traveling Preachers proper; and, in the second, insists they are merely such, with the addition of being *tenants at will*, as officers of the General Conference.

The sage induction by which the Manifesto attempts to show that the Protest maintains the General Conference to be a creature of the Episcopacy, is in keeping with its general claim to fairness of argumentation. It is plainly the purpose of the Protest to show, that because, according to law, we cannot have Annual Conferences, (and by consequence no General Conference, unless in extreme cases,) independently of the Episcopacy, it does not, therefore, follow, that the General Conference is the creature of

the Episcopacy, although there is quite as good reason for assuming it, as there is for assuming the Episcopacy to be a mere creature of the General Conference.

The Reply, in pressing upon our notice the uniform repugnance to slavery, in the high places of the Church, has signally failed in giving us the true and proper relations of "Methodism and Slavery," and exhibits a sad paucity of proof with regard to the manifestation of the kind of repugnance so very confidently assumed. Beside the many unmanageable facts and perplexing inferences already noticed, tending to discredit the ultraism of the Reply in this respect, there are other items of no mean significance, which ought at least to be explained. The General Conference of 1828 selected, with great unanimity, a Southern slave holder as their Representative to the British Conference. It is well known, too, that at the General Conference, in 1832, more than forty Northern votes were given for a Southern slave holder as Bishop, and given too, against a Southern man, proposed for the same office, who was not a slave holder. These, and kindred facts, all go to show, that until the recent marriage of abolition and anti-slavery, for grave family reasons, (a union of effort for particular purposes, as elsewhere seen,) the Church has been in the habit of selecting men for office, and appointments of trust, without reference to their connection with slavery, it being well understood that no slavery was found in the Traveling Ministry, except under circumstances where, according to law, no forfeiture of right could ensue. All this, however, is utterly misunderstood or misrepresented by the Reply. That Jesse Lee was the owner of slaves, when designated by Bishop Asbury for the office of Bishop, and came within a single vote of being elected by the General Conference, is, I am informed, susceptible of proof. It is also affirmed that he was such, when, at an earlier day, he planted Methodism in New England. Bishop McKendree never attempted to disguise his solicitude for the election of *Thomas Logan Douglass* as Bishop, although he knew him to be an extensive slave holder, in a State where emancipation was impracticable. Southern men, holding slaves, have, at different times, been supported for the Episcopacy, by Northern votes, ever since the organization of the Church.

The manner in which the Reply repels the charge of "extra-judicial" proceedings against Bishop Andrew, will be recollected by all. The charge is, that Bishop Andrew was proceeded against "out of the ordinary course of legal procedure," such being the common and obvious meaning of the term; and the Reply, after denying the charge in various forms, takes great pains to show why the Bishop could not be dealt with according to law, and why it was necessary to meet the emergency "out of the ordinary course of legal procedure." The gross fallacy of the pretension, that the General Conference has the right to do anything not expressly forbidden, publishes its own refutation the moment it is looked at. So soon as we apply it to the division of General Conference jurisdiction, this argument of the Majority is, by themselves, denied as futile. While Bishop Andrew is on the tapis, the "Croton river" overflows its banks, but the moment division comes up, it is dried in all its streams. When Episcopacy is in the way, the General Conference has *all power*, even the *sovereign lawlessness* claimed for it by Bishop Hamline; but whenever it is shown that such supremacy must give to the body claiming it, the right to divide the general jurisdiction of the Church, we are instantly informed, as we have been in twenty different shapes, that this right belongs not to the Traveling Ministry, but *the people*—the Laity. The reader, by adverting to our reasoning elsewhere, will perceive at once, that in theory, this is a *revolution* in the government of the Methodist Episcopal Church. It is depriving the Traveling Ministry of rights and powers always claimed by them, and investing them in the people, where it has always been obstinately contended they do not belong, and

by whom they cannot be claimed, except upon the principles of a *revolutionary radicalism*. This concession of the General Conference Press, "by authority," for temporary party purposes, may be found to contain the seeds, and furnish the type of a destiny not dreamed of in the philosophy of the Majority. What is conceded now, and in this case, may be claimed hereafter, and acted upon in others. The argument is a Delphian blade, cutting more ways than one. When we come to apply it, the General Conference is as much the creature of the people as a Bishop is the creature and factotum of that body.

The strangely doubtful—the equivoque position in which the resolution of Finley, with the subsequent explanation, left Bishop Andrew, made in every practical sense, the mere *discretion*—the *will* of Bishop Andrew, the sole law of determination, both with regard to the moral character of his conduct and the propriety of exercising or declining to do so, the functions of his office. And yet for adopting the *rule of action* prescribed by the Majority, the Bishop is to be further punished. The Bishops informed the Conference, by way of asking for "official information," that in their judgment *they* had "no discretion to decide" upon even the kind of *relation* Bishop Andrew sustained to the Church. The Conference tell them they are right, they have no discretion in the case. The Conference declare all is confided to the discretion of Bishop Andrew, and that what he may resolve upon is the law of the General Conference, "whether in any"—he may work or let it alone, "and if any in what work"—he may choose any work he prefers—"be employed," sees fit to occupy himself, (for no directions are given the Bishops,) "is to be *determined* by *his own decision and action*, in relation to the previous action of this Conference in his case." Should Bishop Andrew decide he is *suspended*, he may be *expected* to decide against taking work, although the Conference leaves him at liberty to work, should he see proper. Should his "decision" be that the Conference has merely *advised* him, and left him to do as he may think best, still *the whole matter is left to himself*, and the necessary *alternative* construction is, that the decision of Bishop Andrew is the law of the General Conference. And the question now arises, can the General Conference, with any show of right, punish Bishop Andrew for doing what they expressly authorized him to do—that is, work or let it alone, at his own discretion. Can he be punished for obeying their own law? Or rather, was not the law such, (the Bishop's own will,) as to render disobedience *impossible!* And what then is he to be punished for? A writer in the Western Advocate, who *strikes but hides the hand*, informs us the next General Conference will let us know what he is to be punished for. This however, can hardly be. When the manifesto was presented to the Conference, it contained a very significant *menace* to this effect, but the Majority refused to sanction the amenability of Bishop Andrew in this respect, as assumed by Drs. Durbin, Peck, and Elliott, and the latter accordingly proceeded to strike it out. This was after the report had been made and was in the possession of the Conference. Other items too, were stricken out by Dr. Durbin, some *with* and some *without* the consent of the committee or Conference. That this was not done, as has been alledged, to oblige the South, is perfectly obvious, for many other things pointed out and animadverted upon as particularly objectionable, were not stricken out, and it is plain those items only were expunged, which it was seen were indefensible and likely to discredit the argument and cause of the Majority.

It can hardly be necessary to call attention to the unfair use which has been made of the fact that Southern men, upon a motion from the North, voted to have the Reply recorded upon the Journal and printed. The motive of Southern men in doing so, will be perceived by all. Th Majority had *ordered their explanation* of the action had in

Bishop Andrew's case, in the shape of an extended report by distinguished leaders of the party, but were unwilling to assume the responsibility of adopting it. The South challenged the Majority to accredit the report, either by its adoption or by attaching their signatures to it. They refused to do either. Wishing to have ready access to it, and have the Church made acquainted with it, although notoriously disapproving its contents, several Southern men voted to record and print it, as a summary of the doctrines and opinions of the Majority, respecting slavery and Episcopacy, which the South believes to be alike subversive of the *unity* and *General superintendency* of the Methodist Episcopal Church.

The Reply insists that the readiness and unanimity with which the Majority consented to the plan of separation, is a practical refutation of the charge of the Protest, that the Minority had been subjected to the party control of a dominant majority. Suppose we look at later demonstrations by the North. What kind of treatment has the South received from the great mouth piece, the government organ of the Northern party, the Christian Advocate and Journal, to say nothing of others? We are privately assured it is true, from different sources, that it misrepresents both Northern opinion and feeling, as certainly and even offensively, as all know it to have misrepresented the General Conference and the South; still it speaks for the Church North, and will, no doubt, continue to do so. The perfect silence of book agents, book committees and the Northern Conferences, must, of course, be understood as their endorsement of its policy and tactics, and they are accordingly responsible, not for every thing the paper may contain, but for its *main position* and obvious purpose in this controversy, as authorized to speak for the Church, and it requires no great discernment to see, that important results may follow from the fact, that the original position of the Majority has been *denied* and *reversed*, and its public solemn obligations scorned and cancelled by its official organ, thus rendering it more imperiously necessary than before, that the Southern Conferences be independent of the Northern, beside the proof it furnishes of the original necessity of division. A single fact noticed elsewhere, and that can never be forgotten by the South, speaks volumes on this subject. Papers published under the authority of the General Conference, have stated distinctly and repeatedly, in the gravest forms, that the *only* reason why the South seeks a separate organization, is because they insist on having a slave holding Bishop, and cannot be gratified while in union with the North. We have shown this statement to be as notoriously false in fact, as it is injurious in its purpose and effect. The whole history of the difficulty publishes its want of truth not less than the malevolence of its origin, and the express language of the General Conference is falsified without disguise, by the imputation. The Conference in providing for separation, avowedly acted in view of "various reasons enumerated" in the declaration of the Southern delegates, and the *only* reason of our Editors is not even *one* of the several alluded to, in any sense or shape whatever. The fact is, the Reply mistook both the character and temper of the North on this whole subject, unless both are miserably misrepresented by the official press.

Those men who believe all slave holding to be morally criminal, and are resolved to rid the Church of all slavery in every respect, are infinitely consistent compared with those who seem to think slavery involves very little difficulty on moral grounds, but is most disastrously evil when it becomes mixed up with the difficult tactics of sectional interest and party expediency. The fact is, to be at all consistent, Methodism in all the non-slave holding Conferences, must occupy the old common ground of the legal toleration of slavery in all grades of the ministry, in States whose laws do not allow the emancipation and subsequent freedom of the slave, or must take *new* ground, and ex-

clude it from the ministry, and by consequence, as we think, from the membership altogether. The Church South can admit of no distinction—no inequality of right in the ministry, without disreputation and overthrow. Where emancipation is practicable without evading or violating civil law, and the freed slave is allowed to enjoy freedom in the State of his domicil. should Southern ministers fail to emancipate, let them be punished. But where this is not the case, and while the law of the Church remains as it is, we will not submit to punishment of any kind, and it need not be expected of us. The old compromise, as we have understood it, is the only ground upon which we can stand in the South, and by how far we credit Northern assurances and defer to Southern opinion, it is unlikely we shall ever occupy that ground again. Under these circumstances, geographical division, (as to general jurisdiction,) with the exceptions recognized by the General Conference plan of separation, seems to be the only pacific remedy. For this the South, with a greatly less number of exceptions than was expected, is ready; and should the North, under the influence of counsels, adverse to the pledge of the General Conference, refuse to fulfil its contract, the question will be left to work out its solution in a different way, uninfluenced by Editors or correspondents, North or South. We write and talk of union, as if it were matter of choice by the parties to have it by mere dint of proclamation. But *where is* that of which so much is written and spoken, to so little purpose? Soberly, where is our *union?* "The North saith, it is not in me, and the South, it is not in me!" Split assunder by a moral convulsion despite ourselves—involuntarily sundered by the throes of an earthquake—already apart and each asking what the other cannot yield—clinging to opposing principles vital to existence, as the parties recede from each other; the question is, how may the least evil result from what has taken place? No longer one, and finding it impossible to agree, is there any reason why we should *destroy one another*, by way of proof that we ought not to have been *separated?* If the ends for which we came together, can only be accomplished by separation, and this we have solemnly declared as it regards the South, and the truth of the declaration is increased by every day's experience, what must be the suggestions of both duty and interest? And what must be the inevitable inference as to constitutional competency to divide the general jurisdiction of the Church, in an emergency of this kind? On what grounds is it doubted? With what show of reason or force of argument can it be questioned?

The proposed division, so far from exciting political alarm and alienation in the South with regard to the North, will tend directly to prevent the one and the other. Five thousand ministers and five hundred thousand members South, tamely submitting to Northern encroachment on the subject of slavery, would immediately and beyond doubt endanger the union of the States, but when it is seen that the rapidly increasing thousands of Southern Methodists, will not submit to this, all cause of alarm in connection with the Church, is removed at once. If while the civil condition and relations of the South are constantly assailed by the Church North, Southern Methodists had not resisted, but allowed the interference to proceed from one extreme to another, the Methodists being largely the most numerous denomination in the South, there would have been just reason, perhaps, to fear that the South might be driven to means of self defence, endangering the harmony if not union of the confederacy. Already, however, the resistance of the Southern Church has given a tone of confidence to Southern feeling, greatly lessening the danger in question. It is not unlikely, from the present signs of the times, and we accordingly predict, that the *Presbyterian Church in the South*, will soon be compelled to adopt the course we have, and that these examples will be followed by the Baptist Church, and at a later period by other Churches, in a similar

separation. If our conjectures should be verified, we entertain no doubt at all that the effect will be eminently favorable to the interest of the National Union. Political abolitionism has been principally sustained in the North, by religious fanatacism and foreign interference, and the latter has been brought to bear extensively, as all know, through the various Churches of the United States. Should, however, the principal Churches South, claim separate jurisdiction, as it regards this question, it will deprive *agitation* at once of its principal means and appliances, and a less excited and exasperated state of feeling North and South, will naturally exert an influence upon public opinion and sentiment, highly conservative in relation to the great interests of our common country. The abolition influence in the United States, has been inconceivably enhanced by the encouragement and countenance of England and the influx of foreigners from every part of Europe. A late English writer on this subject says, "that England has taken up the trade of *propagandism* is admitted by our rulers themselves." Another affirms that it was for this specific object she "confiscated property to the amount of 40,000,000 sterling in the West Indies," which did not, in any sense, belong to the government, and which having been accumulated under the full and explicit sanction of British law, she could not deprive her subjects of without a plain violation of the rights of property. Dr. Bangs, speaking of the Northern agitation of "slavery and abolitionism," says, "this spirit was powerfully excited by *agents sent out from England for the express purpose* of lecturing us on the evils of slavery. These heedless and enthusiastic lecturers, aroused a spirit of resistance to their measures and proceedings, which it was not easy to control. This *interference of foreigners* with our domestic relations, was considered by the more judicious portion of the community, as highly reprehensible and worthy of severe rebuke and remonstrance." That an immense mass of the American people are opposed to slavery, in principle and feeling, is not disputed, and no where regretted or complained of in the South. But it is true at the same time, and susceptible of the clearest historical proof, that the whole abolition and anti-slavery movement in the United States, for the last twelve years, has been to a very great extent *anti-American* and essentially of *foreign* origin. The whole system is largely indebted to foreign influence, both as it regards its projection and impulse. Nor is this true merely in relation to the organized efforts of the anti-slavery and abolition mission, as such, but the principle involved and the fact we assume have developed themselves and displayed their relations and affinities, in various forms of political, social, and moral mischief. Public attention and concern have been for years attracted to the evil as one of no common magnitude. Thousands who do not deem it prudent to speak or act, feel that the curse is in our midst—that the elements of social degeneration and national decay, are at work, with an energy and effectiveness calling loudly for the interposition of public virtue and political foresight. The subject is too deeply painful and humiliating to be enlarged upon.

Look at the annual foreign accessions to our population—look at the lawless disregard of restraint among them—a levelling system of agrarianism rapidly extending in every direction and fearfully increasing in strength and activity. Even now they constitute in various places, formidable castes and parties, caring for nothing but to secure their own petty personal interests, and to promote the reckless aims of the unprincipled demagogues by whom they are duped and demoralized. This class of foreigners rarely crowd together in the South in masses sufficiently large to affect the interests of society. The long established system of slave labor—the kinds and methods of production, and the general habits of society, with other causes, deter them. They seek the free States of the North, and are found there as ten to one, if not in greater disproportion, com-

pared with the South. Foreign influence in this way, has been most unfairly brought to bear in the North, upon the question of slavery in the South. For more than half a century, without any knowledge of our political institutions and civil relations, the slaves of other nations, have been the legislators of this. Legionary hordes are annually emptied out of Europe, in the shape of ignorant, needy, and disorderly paupers, fugitives, and convicts, every where crowding the cities and districts of the North, officiously meddling with both the polity and police of the country, and rapidly sapping the foundations of its noblest institutions. Placed on their arrival, in direct association with the lowest and most depraved part of our own population, and subjected but too generally to the drill of debased and lawless leaders, the *Botany Bay of European outcasts* on this side the Atlantic, is allowed to give character, not only to the law and magistracy, but even to the manners and morals of the country. We except of course, from the application of these remarks, and we do it with the greatest pleasure, all those citizens of the United States from foreign countries, many and respectable, who *practically* discourage and discountenance the growing evil of which we complain; all others we include as accessary to the outrage, and inflicting irreparable injury upon the character and hopes of the country.

Among the rare morceaux of the Reply claiming attention, we may notice the attempt to make the impression that the Protest denies that Bishop Andrew was really and legally connected with slavery. The Protest contains no such denial—no intimation of the kind, and the statement is negatived both by the language and reasoning in every part of the document. The Reply also contains the unauthorized representation, that the Protest assumes the ecclesiastical compact existing between the North and South to have been a constitutional arrangement in form, and cannot, therefore, be altered or revoked without the removal of constitutional restrictions. There is no such idea in the Protest. The general law of slavery, as enacted at different times, is assumed, as we have proved it to be, a compromise arrangement, in the shape of a common law agreed upon by the parties, North and South, and the Protest maintains that the Majority of the late General Conference, in disregarding the law, were not merely chargable with its violation, but also with a breach of good faith toward the South. There is no allusion to the removal of constitutional restrictions. What the Protest meant by charging a violation of the constitution, is fully explained and supported in another part of this Review. So far as the constitution is directly applicable to Bishop Andrew's case, unless it can be shown that he bought or sold with intention to "enslave," the constitution, as explained in the 10th section, not only protects him in his connection with slavery, but must be disregarded and violated in any attempt to disturb him. The Reply attempts to prove Bishop Andrew blame worthy, because a Bishop is "allowed to live where he pleases," and it seems it would have pleased the Repliers and those they represent, had Bishop Andrew removed North, and so freed himself from slavery by expatriation. It so happens, however, that Bishop Andrew "pleases" to live in Georgia, where he resided at the time of his election, and the Discipline, as we have seen, takes from the General Conference any right to disturb him in his connection with slavery, in that State. And as a Bishop is kindly "allowed to live where he pleases," no blame can possibly attach to Bishop Andrew for not removing North.

Among other things found in the Protest by the Reply, which happen not to be there, is "the virtual *deposition* of several Bishops, by a worse than extra-judicial process." What *was there*, but not seen, it would seem by the authors of the Reply is, that Bishops violating the compact, the compromise law of slavery, themselves, or submitting without proper remonstrance to its violation by others, cannot be acceptable in the

South, and need not appear there with such expectation. This we re-affirm in behalf of the whole South. We have furnished in these pages, abundant proof that the only Bishops the Church had at the time the Protest was written, were fully committed to the compromise policy of the Church respecting slavery, and the position was taken in view of a possible change of sentiment by some of the Bishops, but especially the probable election of one or more to the office, who might be abolitionists. That is, we have no more use for such South, than the North have for Bishop Andrew. But to declare an abolition Bishop unacceptable in the South is a "virtual deposition," ergo, according to Drs. Durbin, Peck, and Elliott, the declaration that Bishop Andrew was unacceptable at the North, was his "virtual deposition," although the same Doctors stubbornly deny it in other parts of the Reply, and maintain that it does not even amount to ecclesiastical censure of any kind. An abolition Bishop declared unacceptable in the South is "virtually deposed," but a Bishop holding slaves by the direct permission of law, may be declared unacceptable North, without even the implication of censure!

Of a piece with the preceding, is the effort of the Reply to disparage the reasoning of the Protest, by charging upon it the assumption, that a Bishop is only responsible for criminal conduct. It will be quite sufficient to say that no part of the Protest authorizes any such supposition, in whole or in part, directly or remotely. It merely denies the right of the General Conference to inflict upon a Bishop of the Church official disability of any kind, without due form of trial. Of which more in its place.

The Reply very warily tries to make it appear, that the North is satisfied with the existing law of the Church on slavery, and seeks no new legislation. That new legislation on the subject was called for in 1836, 1840, and 1844, none will deny. The call was made at each General Conference, by several thousand petitioners, and how does the report of the committee of 1844, comport with the declaration of the Reply? The report admits the call for new legislation, and does not disapprove it. It is perfectly non-committal. Nine Annual Conferences and ten thousand petitioners ask that action may be had and results secured contrary to the provisions of existing law, and yet the committee say nothing in defense of law and against the attempt at change and innovation. Was it the purpose of the committee to authorize the inference South, that when they thought it safe to do so, they were prepared to recommend action? Did they intend to invite nine additional Conferences and twenty thousand petitioners to try it again at the next General Conference? Why did the committee recommend and the Majority find it expedient to endorse the lawfulness of negro testimony against white persons in Church trials, by repealing a law which had disallowed it in States and Territories where negroes were not allowed as witnesses in civil process? Was it believed that negro witnesses might be useful auxiliaries in managing the South? The statement of the Reply too, is discredited by the counter avowal of some sixty New England traveling preachers, who, since the General Conference, have declared themselves in favor of new legislation. It is true Dr. Bond and Dr. Elliott are trying to make all believe, either that the men in question are first rate, straight forward, trust worthy, law abiding Methodists, and will save the New England Conferences, "sound to the core," or that they are but a handful of noisy ultra abolitionists and not worth minding. It dont seem to be at all material to the argument which they shall turn out to be. It seems to be resolved on, that they shall either keep quiet or be proved to be unworthy of notice or confidence. What adverse influence can such men as Crandall, Porter, King, Binney, Remington, and a hundred or two like them, bring to bear upon the slave holding portion of the Baltimore Conference, embracing parts of Maryland and Virginia, and the District of Columbia? What has the Philadelphia Conference to fear, although it has

important slave sections in Maryland and Virginia? What harm will accrue to the large portions of Virginia in the Pittsburg and Ohio Conferences? What is there to alarm the Northern societies on the Southern border in Kentucky and Missouri? We are assured that all this, working together for good, will pass off pleasantly!

There are many, and the gravest reasons, on purely conservative grounds, for a division of Church jurisdiction, but none for political division, as it regards the Union of the States. The Methodist Episcopal Church has done what the General Government of the United States has constantly avowed it had no right to do, for any purpose whatever; that is, has required emancipation in States where it is prohibited by law, as the condition of Church rights and immunities. Civil government has honorably and nobly refused to do what the Church, by all possible means of agitation and aggression, is constantly attempting to accomplish. Church authority is interposed for the disturbance of civil right. Now, while the Southern part of the Church remains in union with the Northern, it is held responsible for such aggression and disturbance, and by so far is distrusted and condemned by public sentiment and feeling. If the Church, South, however, shall separate, as proposed, with a view to correct the evil, it will be conclusive proof that the measures of Northern agitators and divisionists are disapproved and resisted as they should be, and Methodism will be allowed to operate its appropriate functions. How far the assailants of the action of the General Conference, on the subject of separation, may succeed in preventing the intended result, is now uncertain. The General Conference is pledged, by formal stipulation, to *what* its Northern organs say *shall never take place*, and these organs have pledged the *Church*, North, to courses of action which must, of necessity, falsify the most solemn assurances of the General Conference. The South has, in no form, resisted the action of the General Conference, on the subject of slavery, more directly and unequivocally, than have the Northern Church papers the action of that body on the subject of separation. The only difference is, we protest and resist on the ground of *violated law*, as we show and prove at length, and they proceed to impugn, disparage, and denounce the Conference for acting in the alledged *absence of right*. Both the Majority and Minority, that is, the Conference, acted, in the matter of separation, upon the great principle, that whenever uncontrolable circumstances require changes, as necessary to the adjustment of the connexional interests and relations of the Church, and especially the great objects of its organization, it must be constitutionally competent for the Church to make them. This is one of those self-evident truths connected with social and moral relations, about which a thousand denials can never generate a single doubt. Men may demur and disclaim, but who can doubt the existence of right in such a case! We have seen, that by the constitution and laws of the Methodist Episcopal Church, the governing power belongs exclusively to the Traveling Ministry. This power is principally wielded through the medium of the General Conference, and indeed exclusively, so far as legislative control is concerned. The separation proposed, relates entirely, applies only, to the federal relations of the Annual Conferences, North and South, and it was deemed competent for the General Conference, as their proper and common organ of action in the premises, to project and adopt a provisional plan for a division of jurisdiction, which would give to two federal representative bodies, separated by fixed geographical lines, the power and rights, within the limits of each, respectively, now belonging to one. This plan, "mandatory" and authoritative as it is known to be, has been set at nought by editors and writers, North, as not binding on any one, however *stringently* Bishops Soule and Andrew are bound by mere "advice." The Commissioners of the North, too, who accepted an important official trust, which allows them *no*

*discretion*, have gratuitously declared their purpose not to fulfil that trust, unless what the General Conference expressly provides shall be a "constitutional" division of the Church, shall turn out to be a mere "secession!" It is true Dr. Olin and others, in the North, hold a language very different from that under notice, and vehemently and eloquently maintain that the faith and honor of the Majority of the Methodist Episcopal Church are deeply and irretrievably implicated, should they refuse or fail to redeem the pledge of the plan of separation, mutually agreed upon by the parties. The refusal of the North to abide by a plain contract arrangement, entered into by the *only constitutional* means in the power of the Church, will of course render it necessary, should the South hold them to the contract, that the matter be tested by other forms of trial. And if driven to such a resort, we have full confidence we shall be able to make it appear that we have been forced to the issue by a necessity created entirely by the wrong-doing of the Majority. That the Northern Conferences have so violated the long established law of the Church, both as it regards Slavery and Episcopacy, as to forfeit, in law and equity, the rights and privileges of the Methodist Episcopal Church, we have no earthly doubt. That the Southern Conferences are the true representatives and assertors of the Law and Discipline of the Church, with regard to both, and that this can be made appear before any competent tribunal, we have as little doubt. And we deeply regret to say, that appearances, at present, indicate that the controversy will only find its termination upon such an issue. Should the Church, North, dishonor the pledge of the General Conference, and refuse to divide, as per General Conference plan, and thus attempt to make the Southern organization, should one be formed, a "mere secession," no remedy will be left the South but the issue above.

Among the unmanly and disreputable shifts resorted to in this controversy, is a recent attempt at imposition upon the credulity of the Church, by the reckless assertion, that a simple division of General Conference, or federal jurisdiction, is an idea of recent origin in the South—unthought of until lately. To show the notorious and inexcusable want of any show of truth in this statement, it is only necessary to recur to the Southern *Declaration*, in which such separation is *specified in terms*, as the *only one thought of by the South*, and to the plan of separation adopted by the Majority, every one of whose provisions is conformed to *this specific idea*. It has been attempted, too, to practice a similar deception, by announcing, that until it was found impolitic to do so, the South, with great unanimity, were in favor of expunging every thing from the Discipline on the subject of slavery. Beyond the extent to which a *few* exceptions qualify the general rule, this charge is as false as the preceding one. The Southern Delegations, at New York, *resolved, in form*, to abide by the Discipline as it was, in any and every event. This has been the uniform purpose and avowal of the South, ever since, with but very few exceptions. In the instance of avowed opinions on the subject of separation, by individuals, popular meetings, Annual and Quarterly Conferences, the exceptions to the general rule have been in the proportion of about *one* in *fifty*. To every *one* in the South, who has suggested a change in the law of slavery, *ten* in the North have avowed a determination to seek a change in favor of abolition. Why have not our one-eyed watchmen seen and reported this also? Have their abolition affinities become so strong that they can see, South, what does *not exist*, but turning North, are unable to discern what could not fail to attract, had it not already become perfectly common?

The argument, from want of authority to divide, strikes one with surprise, after the claim put forth by the last General Conference, arrogating to that body all power, legislative, judicial, and executive, claiming the right to do any and every thing they

saw proper, except the very few things placed in custody of the restrictive articles. It has, moreover, always been the doctrine of the Church, right or wrong, that the *sole right* to govern the Church, in all its diversified interests, belongs to the Traveling Ministry, to the exclusion of the Local Ministry and Laity, and the doctrine has been *twice formally avowed* by the General Conference, beside being shown by the very structure of the government itself. The Traveling Ministry constitute the government. The rights of government accrue to them exclusively, in view of all the legal provisions connected either with the constitution or the laws. Any rights of sovereignty, therefore, predicable of the Church, may, as the Church has always been organized, be rightfully exercised by the Traveling Ministry, and, since 1808, by the "Delegates of the several Annual Conferences, in General Conference assembled." The right to divide is an extreme right, incidental to inherent sovereignty, always belonging to those constituting the government; and its exercise is always lawful, when demanded by any adequate imperative emergency. If, then, the immemorial doctrine of the Church, that to the Traveling Ministry belongs, by conventional compact, all right to govern and control, they alone, of course, have the right to determine the question of division. The radical claim, recently set up, in various quarters, that the General Conference, as the organ of the Traveling Ministry, the government proper, has no right to divide a jurisdiction *absolutely its own*, as elsewhere and otherwise asserted, without the consent of the Local Ministry and the people, or rather the assumed right of the people to decide the question, is a claim involving a principle which has, at different times, as we have seen, received the formal condemnation of the Church, through the General Conference. Whatever may be the *natural*, *moral*, or *scriptural right* of the people primarily, the doctrine of the Church is, that by *consenting* to be governed by the Traveling Ministry, *in the act of entering the Church*, all such right was *surrendered*, and cannot now be claimed, without assuming a radical, revolutionary position in relation to the government of the Church. The only *legal* right of division belongs incontestably to the General Conference. And this right, in fact and in form, has been exercised by the General Conference, in setting off, by formal enactment and legislative provision, the Methodist Episcopal Church in Canada. And to deny the right, in view of a precedent so perfectly plain and unambiguous, is, to say the least of it, most absurdly inconsistent, until it be shown that the Canada separation was a "secession," and all who favored it "disunionists." It is, further, true, that the Canada case covers the entire ground, and involves every principle implicated in the pending division. Both parties, it is well known, intended to provide for a separation, without another meeting of the General Conference. The Plan of Separation authorizes the Southern Conferences to judge of the necessity of separation, and furnishes the highest warrant of the Church for a separate organization, if it be deemed necessary.

The South asked that the Conferences in the slave holding States might be set off under the jurisdiction of a separate General Conference, with a view to prevent the array of the North and the South against each other, at every General Conference, (as now organized,) on the subject of slavery. A constitutional division of general jurisdiction was prayed for, all other organic relations remaining the same. It was supposed, that, as the General Conference possessed full power to make all regulations for the welfare of the Church, deemed indispensable, and not inconsistent with the constitution, that the right of extreme necessity authorized the South to ask, and the North to grant the separation in question, and such an arrangement was mutually agreed to by the parties. It was not thought, by either party, that the constitution had made provision for such a separation, but by both, that so far as necessity, in view of the

good of the whole Church demanded it, it could not be *inconsistent* with the constitution, the primary design of which is to promote such good. Hence, the Conference ordered that a "constitutional" plan of separation should be devised and reported by the appropriate committee, which was done accordingly, and was adopted by the Conference in due form. The Northern votes in favor of this plan were more than double the number given from the South. The North, with almost absolute unanimity, declared, that should the Southern Conferences decide in favor of it, such separation of jurisdiction should take place, in right of such special grant. All the sixteen Southern Conferences have so decided, and the numerical dissent in the Traveling Ministry has been less than *one half per cent.* The condition, therefore, upon which the Majority of the General Conference pledged the North to a separation, having been most fully and unequivocally realized, the North is *committed to the issue* without any possible chance of honorable retreat, unless with the consent of the South. That this whole transaction, both in its form and subject matter, has been grossly distorted and utterly misrepresented by General Conference organs, whether viewed on *moral* or *legal* grounds, is a position not likely to stand in need of proof. The almost innumerable statements and declarations, that the South proposed to "separate *from* the Church," was understood to be a "secession," and to "go off as no longer any part of the Church," are not only unjust and untrue, as it regards the South, but a *libel* upon *the official action* of the Majority of the late General Conference. The General Conference gravely and explicitly instructed the committee of nine to "devise a constitutional plan for a mutual and friendly *division of the Church*" into two great departments, North and South, in the following words :—

"*Resolved*, That the committee appointed to take into consideration the communication of the Delegates from the Southern Conferences, *be instructed*, provided they cannot, in their judgment, devise a plan for the amicable adjustment of the difficulties now existing in the Church on the subject of slavery, *to devise*, if possible, *a constitutional plan for a mutual and friendly division of the Church.*"

Here is our *warrant.* And let it be noticed—1st. That it is proclaimed by the General Conference, that they did not think a constitutional division impracticable. And, 2d, That, in reporting the plan, under *instruction*, that it *should be constitutional*, there is no intimation from the committee, or others, that it was not so. If the men who adopted the above resolution, and also sustained, by their votes, the plan of separation reported by the committee, acting under the instruction given, intended that the separation should *not* be constitutional, and in pursuance of law and order, but in fact a "secession," operating a forfeiture of Church rights, as now avowed by official agents of the Conference, then we cannot for a moment hesitate, nor do we believe public opinion will, in pronouncing it a *deliberate fraud* practised upon the South, against the purposed mischiefs of which the South is amply protected, both by ecclesiastical and civil law. The General Conference is, in the face of Heaven and Earth, committed to a "*constitutional*" and friendly "division of the Church," mutually agreed to by all the Annual Conferences represented in the General Conference. The South are no more "divisionists" than the North. The true *sponsors* of division are the men who voted for the resolution, and the report in question, and they are held to the responsibility involved. No plea of oversight, with regard to the use of terms, can be urged by the Majority, for a Southern man, fearing it might create an insuperable difficulty, moved to strike out the term "constitutional," which the Conference promptly refused to do, and by retaining *stressed* the term, as one to which no little importance was attached. The Majority, therefore, are pledged to the result—a constitutional division of the Church, and any and every effort to the contrary, tending in any way to

prevent such a result, involves the faith and honor of the Conference. The General Conference action, as above, binds the *Church, in law*, as well as on the score of honor and good faith. It is a plain legislative contract, by the supreme legislative power, upon which the South relied and acted, and should the North determine not to keep faith in the premises, *a new issue* is formed, and the question arises, whether the deception attempted to be imposed upon the South does not *rightfully transfer the identity of the Methodist Episcopal Church* to the party keeping good faith in the transaction. Dr. Elliott and others maintained, (and every man who voted for the resolution and report above, must have thought so, or trifled strangely both with his conscience and reputation,) that the plan of division reported by instruction could be carried into effect *consistently with the Scriptures and the Discipline*, and of course constitutionally. The Northern party are bound to a division, precluding all idea of "secession," if truth, honor, and law can bind them, and retreat is impossible, without a sacrifice which must make them poor indeed. In all the proceedings in the case, the one distinct intelligible idea, misunderstood by no one, was a peaceful, constitutional division or separation of the Church. All idea of separation *from the Church* was distinctly disowned and repudiated; and the falsehood of the charge is proved by the express language of the General Conference, in the shape of authoritative instruction. This position, in view of the evidence supporting it, cannot be in the least affected by a thousand denials, however painfully unpleasant it may be, to see the truth of history, as found upon the journals, and in the debates of the General Conference, contradicted by men, who *themselves did*, what they affirm was *not done at all!* That the action of the General Conference was designed and understood to be "constitutional," is inevitable, however that action may have been perverted and misrepresented since. In the General Conferences of 1836 and 1840, it was the opinion of those bodies, with but few exceptions, that it was competent for the General Conference, as proposed by the lamented Cox, to set off the infant Church of Liberia as an independent Methodist Episcopal Church, as had been done before, in the case of Canada. The question of constitutional right, in all these cases, is one and the same, and must, certainly, with the advocates of General Conference *inerrability*, (if not with others,) tend to strengthen our argument. Whatever name it may suit Northern editors or writers to give the proposed Southern organization, such organization is clearly and irrefutably *authorized* by the General Conference. That body agreed, by stipulations, plain and unambiguous as any requirement or prohibition of the decalogue, should the Southern Conferences so elect, *to set them off and allow them to organize a separate ecclesiastical establishment*, as an accredited portion of the great Methodist family in the United States, into which it should be lawful for *any member, minister, or Bishop* of the Methodist Episcopal Church to enter, without *censure or disability* of any kind. And to deny this, in the face of the evidence, accessible to all, is worse than fatuous. It is true the plan contemplates a change of the 6th restrictive article, in order to a division of the funds, and the consent of the Annual Conferences, to this effect, is recommended by the General Conference, but no such consent is made necessary by the plan to *legalize the organization*, should the South find it necessary to organize. If the three fourths vote of the Annual Conferences is not obtained, it only affects the fund question, without, in any way, vitiating the general movement. Should the South see proper to organize without such security, the risk of course is incurred by the South, as to the fund, but the arrangement, as a whole, remains unaffected by the failure. The fact is, there will be no risk finally, as several of the Northern Conferences will, at their first meeting after the formation of a separate Southern connexion, if they redeem the pledges they have given, vote for

the change of the restrictive article, and so remove the difficulty. So far, therefore, no obstacle exists to the new organization. It is urged, however, that the rights claimed, upon the basis of the contract, have been forfeited by the South, because Southern papers, meetings, &c., have held severe language with regard to the North. This may be true, but as equally severe language has been held by the North against the South, any tolerably fair examination of this matter, will satisfy any one that there has been quite as much forfeiture of right North, as South. If this view of the subject should ever assume the shape of a direct issue, it will not be difficult to show on which side the line truth and facts have suffered most from distortion and misrepresentation. Such a plea can avail nothing. The charges of the South against the North are in the Protest, and were formally preferred *before* the plan of separation was agreed to. A war of editors and writers cannot affect the legal position of parties. The plea, to have presented even a show of reason, should have been originally urged upon the ground of the Protest itself. We are strongly persuaded the Northern Conferences, generally, would be unwilling to resort to such a plea, however partizan advocates, and perhaps a few Conferences, may be induced to turn it to what account they can.

Were the Local Ministry and membership admitted to a participation in the legislation and government of the Church, by its constitution and laws, the proposed division, without their consent, would, it is admitted, vitiate the whole procedure, but as it is, it cannot affect either the *ecclesiastical* or *legal* rights of the parties. We speak of things as they are, not as they ought to be, if any should think them not right. Not only has the General Conference twice formally declared that all such right, as to Local Preachers and the people, is *barred by the constitution*, but these bodies themselves have gloried in proclaiming that they have *no such right* as that assumed for them in the argument to which we are replying. That any, all constitutional right of the kind is denied to *any* portion of the Church, except the Traveling Ministry, see report of the General Conference of 1824, also, Dr. Emory's Report in 1828, Dr. Bond's Appeal, and other documents on the same subject, published by authority of the Church, in all which it is definitely assumed that the Local Ministry and Laity have *barred* their natural right, if they ever had any, to all participation in the *governing power* of the Church, by *conventional arrangement*, and that loyalty to Methodism, the peace and good of the Church, and especially the existence and success of the general itinerant system, imperiously require that they should not seek to disturb an organic adjustment, so vital to the interests of all concerned. *Now*, however, the Northern Majority are attempting to rouse, and excite to action, the stupendous popular force which it was *then* contended would inevitably destroy the Church. Why this change? Is it principle or policy? Is the old doctrine discarded, or is it a mere *ruse*, intended for temporary effect, when the old order of things is to be re-asserted? The true question is, have the confederating Annual Conferences a right to say, by their Delegates in General Conference assembled, urgent reasons demanding it, that instead of a single federal jurisdiction, as now, by means of one General Conference, they will divide this jurisdiction into two, the one North and the other South, and let two General Conferences, with equal powers and privileges, within their respective limits, be the organs of federal action, instead of one, as heretofore? And, as the Local Ministry and membership have always been *denied the right* of representation, both in the Annual Conferences and the General Conference, we are curious to know how the Majority, without a change of organic law, can *invest* them with the right to *resist* the action of the one and the other, upon the question of dividing a jurisdiction from which *they* have always been *carefully excluded!* How does it happen that the *concurrence* of these portions of the Church, denied

all participation in the government, by the constitution and the laws, is now necessary to the constitutional action of bodies officially declared to be independent of them, by conventional compact, in their *right* to govern the Church? Did the proposed separation affect the moral laws of Methodism, or the moral relations and interests of Methodists, as Church members; did it involve any change as to faith or morals, ordinances or ceremonies, did it touch the elements of christian character or fellowship, did it propose any material change of government or discipline, the case would be different and the primary moral rights of the great body of the Church would stand out with commanding appeal. But nothing of the kind is proposed. It is simply a *modal* change affecting only a single feature of government. All the moral laws and the Discipline of the Church remain untouched. The Annual Conference system and the Episcopacy the Itineracy, and, in a word, the whole moral and ecclesiastical machinery of Methodism are to remain as before. The only change thought of by the Southern Delegations in the late General Conference, was a division of General Conference jurisdiction, leaving all else unaffected by the change. This, and this only, is specifically set forth in the Southern "Declaration." And this, and this only, is specifically responded to in the "constitutional" plan of division adopted by the General Conference. And the truth of history, the irresistible evidence of facts, intelligible to the plainest understanding, will not be long in making it appear, that those who, under the simulated pretence of defending the General Conference, have represented the South as aiming at the *disruption* of the Church, and a *separation from* it, either do not understand the subject themselves, or are resolved that others shall not. They are either ignorant of the facts in the case, or perversely misrepresent them, with intention to deceive. We state what we know many North, as well as South, avow themselves *compelled* to believe. How far men may rely upon their own pre-conceptions and prejudices as correct, and proceed to affirm and dogmatize upon such authority, without examination, and thus falsify the truth of history, and even the publicity of official acts and records without *intending* to do it, is a matter about which we shall not pause to speculate Those interested can solve the question at their leisure. Meanwhile, the evidence accumulating upon the subject, may, at no distant day, form an element of history as curious as it will be valuable, and a chapter certainly not more humiliating than it will be found irrefutable. The North arranged, approved, and adopted the plan of division conjunctively with the South. They had a majority of two-thirds both in the committee and the Conference. That their honor and good-faith are pledged to carry it into effect, is a position few, it is believed, will be prepared to question. They cannot recede with any claim to truth or fairness. The act was a stipulation in form, and cannot be recalled. It is matter of history, and cannot be denied. The plan of separation is a plain contract, and any attempt to evade it, by either party, would involve shameless dishonor. The Majority are bound, if they can be bound by any pledge man can give to man. All who attempt to frustrate and defeat the plan agreed upon, are at least, resisting the action of the General Conference. The opposition to the plan, ostensibly urged upon the ground of constitutional difficulties, commands respect, so far as these difficulties are pointed out, and assume the shape of argument, and it has been our aim, in this discussion, to meet and dispose of such difficulties with fairness and candor. The outcry and declamation we have had on this topic, are perhaps best answered by showing in how many ways those who are thus trying to excite alarm, have either so offended themselves, or have witnessed the violation of the constitution and laws of the Church, by others, without any apparent sense of obliquity or disapproval. But too many have furnished evidence that their difficulties, in this respect, are strangely one-

sided, and connect with whatever contravenes their wishes. For example, the doctrine of the Majority, as represented by the Reply, and also by Bishop Hamline and others, is, that it is constitutionally competent for the General Conference to do any and every thing not forbidden by the restrictive rules, and by taking this broad position, which they cannot deny, it is declared competent for the General Conference to authorize, as they did, a separate Southern organization, as all know this is not denied to the Conference in the restrictive rules. Their own exposition, therefore, of constitutional right, is at war with the present doctrine of the party, unless misrepresented by their own official organs.

Among the many logical fatuities brought to view in this controversy, may be ranked the attempt to show that the term separation, in the plan adopted by the General Conference, was used to denote not what it properly means, but "secession." The meaning of the term will be determined at once by an examination of the "declaration" of Southern delegates—the resolution of *instruction* and the report of the committee of nine, adopted as the plan of separation. In their brief and unpretending declaration, the delegates from the Southern Conferences simply inform the General Conference "that the *continued agitation* of the subject of slavery and abolition, in a portion of the Church, the *frequent action* on that subject in the General Conference, and especially the extra-judicial proceedings against Bishop Andrew, must produce a state of things in the South, which renders a continuance of the jurisdiction of this General Conference over *those* Conferences inconsistent with the success of the ministry in the slave holding States." The obvious and only meaning of this language is, the Southern Conferences cannot succeed in the great objects they have in view, while controlled by the abolition and anti-slavery majority of the North, and the reasons why they cannot, are clearly specified. Is there any thing revolutionary or schismatic in this? Does the declaration lack manliness or moderation of either tone or temper? Upon this declaration the committee was raised, and acted under the following instruction: *Resolved*, That the committee be instructed, to devise, if possible, a *constitutional* plan for a *mutual* and *friendly division* of the *Church*." That is, a "division of the Church" so far as prayed for—releasing the Southern Conferences from the control of the Northern majority, by allowing them a separate organization. Both the declaration and the resolution are in strict conformity with the closing sentence of the Protest, "it is believed, it will be found practicable to devise and adopt such measures and arrangements, present and prospective, as will secure an amicable *division of the Church* upon the broad principles of right and equity." Thus showing what kind of division *only* was had in view. The committee did not ask to be released from the instruction given. They did not intimate that they could not perform the duty assigned them. They reported under the binding control of the instructions received, without giving notice in any form, that they had found it either necessary or expedient to swerve. If they did not intend their report as a "constitutional plan for the division of the Church," they betrayed a solemn official trust and deceived the Church North and South. The Majority, when they had it perfectly in their power, refused to release them, as we have seen, from the "constitutional" restraint; and under these circumstances, they cite the thirteen Southern Conferences as representing in their Declaration, "that for various reasons enumerated, the objects and purposes of the Christian Ministry and Church organization, cannot be successfully accomplished by them, under the jurisdiction of this General Conference *as now constituted*." Showing that the sole difficulty was connected with the federal jurisdiction of the General Conference, and that a division of this so as to place us from under the oppressive control of abolition and anti-slavery, was all

that we prayed for. Hence the committee say, "in the event of a separation—a contingency to which the declaration asks attention, as not improbable, we esteem it the duty of this General Conference, to meet the emergency with christian kindness and the strictest equity," So also, "should the *Annual Conferences* in the slave holding States, find it necessary *to unite* in a *distinct ecclesiastical connection*, the following rule shall be observed with regard to the Northern boundary of such connection." It is a *geographical* division, in view of securing a separate and independent *jurisdiction* in the South. The report decides that all Societies, Stations, and Conferences, belonging to *either* side of the line of separation, shall *so belong* by simply "adhering by a vote of a majority." If so to adhere *South* is "*secession*," why not *North*, as precisely the same expression is used in both cases? So "adhering" they are to remain under the *unmolested* pastoral care of the Church "adhered" to. Ministers on either side the line are expressly forbidden to attempt, in any way, the formation of Churches or Societies upon the other. "Interior charges *shall in all cases*, be left to the care of *that Church* within *whose* territory they are situated." "Ministers, local and traveling, of every grade and office in the Methodist Episcopal Church, *may as they prefer* remain *in that Church*, or without blame, attach themselves to the Church South." Thus most clearly showing that the Southern division was to be recognized as a *Church proper*, not less than the Northern. The report calls the boundary "the line of *division*." It speaks of the proposed Southern division, as "a distinct ecclesiastical connexion"—"the Church in the South—the Southern Church—Church South—that Church—the Southern organization—the Church so formed—the Conferences South." The latter even after separation, are recognized as rightful claimants for a portion of the chartered fund. The division of the book concern is a *transfer* upon the ground of admitted claim. Now is it possible that all this could take place among men of sense and upright purpose, if it had been intended the South should be a "*secession*." We regard it as impossible. Meanwhile we have seen that nothing has occured since, to change, alter, or nullify in any way, the stipulations binding the parties. The general view we have taken is fully and fairly sustained by the debates. Dr. Elliott said of the plan, that "it would insure the purposes assigned, and would be for the best interests of the Church—was a proper course for them to pursue in conformity with the Scriptures—all history did not furnish an example of so large a body of christians remaining in such close and unbroken connection; it was found *necessary to* separate; the Churches at Antioch, Alexandria, and Jerusalem, were as *distinct* as the Methodist Episcopal Church would be if the suggested *separation* took place; to this conclusion they *must* eventually come; the measure contemplated was *not schism* but *separation* for their *mutual* convenience and prosperity." Rev. Mr. Griffith. hostile to the whole plan, urged among other things, that it gave no choice to interior charges, "if they wished to be members of the *Methodist Episcopal Church*, whether it should be *the Southern* or *the Northern*." Dr. Paine, Chairman of the committee, spoke of the South as likely to find it necessary to "carry out the *provisions of this enactment*"—of a Southern "convention" resolving on an "organization" in accordance with the provisions of the report; the measure had been concocted in the spirit of compromise and fraternal feeling, in the hope of preventing agitation and schism." Dr. Luckey said "he regarded the resolution, (the first,) as *provisionary*, providing in an amicable, proper way, for such action as might hereafter be necessary; if the separation were necessary. it ought to be amicably and *constitutionally* effected, and there was *no intention* of doing it *otherwise*. Mr. Wesley saw it necessary to permit the connection in the United States *to separate*." Dr. Bangs says of the committee, being a member of it, "they were instructed by a resolution of the

Conference, *how* to act in the premises. They were to *provide for separation*, if they could do so *constitutionally*—they had presented this report, from which the Conference would see they had at least *obeyed their instructions* and had met the *constitutional* difficulty, by sending round to the Annual Conferences, *that* portion of the report which required *their* concurrence, The Laws, Discipline, Government, *all* would be the same. The South asked a *separate Conference*, adapted to the institutions of *that portion* of the country." Rev. Mr. Fillmore, another member of the committee, remarked significantly, "Methodism, as the child of Providence, adjusts herself as she had always done, to the circumstances of the case; she proposed that if these fears (of the South,) proved well grounded, they *divide into bands*, and go on spreading holiness through *their* respective territories; the plan simply makes *provision* for such "contingency." Rev. Mr. Finley could see nothing "*unconstitutional*" in the plan. "The parties stood precisely *alike*—there was a *great gulf* between them and he wished there was *middle* ground on which *both* could stand. Mr. Wesley *separated* the American from the English Church; the General Conference gave the Canada Conference *liberty* to do just what *they now* proposed to do with the South; we are now doing *nothing more than we did then*. Bishop Hamline, also of the committee, alluding to the first resolution, which gives character to all the rest, said, "the committee thought *it could not be objected to on the ground of constitutionality*. He for one, would wish to have his name recorded affirming them to be brethren, if *they* found *they must separate*. The article referred to the Annual Conferences had not, *necessarily*, any connection with division as agreed by all." Rev. Mr. Porter, one of the committee, said, "the time was coming when *separation must* take place. The difficulty was *greater* now than it was four years ago, and would *increase*." Dr. Winans, of the committee, declared, "the only proposition was that they (South,) might have *liberty*, if necessary, to organize a *separate* Conference, and it was important that they should know at an early period, that they had such liberty." Finally, hear Drs. Durbin, Peck, and Elliott: "The proposition for a peaceful *separation*, has already *been met* by the General Conference, by a vote which would doubtless have been *unanimous* but for the belief that *some* entertained of the unconstitutionality of the measure;" thus declaring that the General Conference had made what was regarded by nearly all, as a "constitutional" provision for the separation of North and South, into two distinct ecclesiastical connections.

A recent perversion of the facts of history, in the Western Christian Advocate, is worthy of notice in this connection. It is broadly affirmed that the committee, upon Dr. Capers' resolutions, took the ground that no division of the Church, as to General Conference jurisdiction, could take place constitutionally, and the inference is thence pressed, that a constitutional separation of the Northern and Southern Conferences, could not have been thought of in the instance of the plan finally adopted by the Conference. In reply, it will be proper to observe: 1st. That the plan of Dr. Capers was that of an individual, and was brought forward by the Dr. upon his own responsibility, without the knowledge or concurrence of the Southern Delegations. It was a proposition from Dr. Capers to the North and South equally. The committee very generally agreed, that the subject coming up in this form, presented serious, if not insuperable difficulty. It must not be overlooked, that the proposition from Dr. Capers preceded the Southern declaration, which gave a new aspect to the whole subject. And we now state what will be abundantly proved whenever it is necessary, that leading men of the Majority, in and out of the committee under notice, assured Southern Delegates, in and out of the committee, that the question of separation could not be approached by the General Conference, safely and constitutionally, *except upon a declaration of grievance*

by the Southern Delegations, and assured us if such declaration were made, it would be in their power to extend to us the relief prayed for, that is, that the Southern Conferences might be from under the control of the Northern Majority—this being all we wanted. Upon the basis of this assurance, a brief, informal, but explicit declaration was presented, and the well known committee of nine appointed, and instructed to report, if practicable, a "constitutional plan" for the "division of the Church." It was too, to be a "*mutual* and *friendly* division." The constitutional difficulty as to power and right, was presumed to be removed by the declaration, which placed the proposed separation on the ground of *necessity*, as the great objects of the ministry and Church organization could not, in the South, be carried on without it. The actual grounds of the necessity being set forth in the declaration of thirteen Annual Conferences, was supposed to change entirely, the constitutional aspects of the question, and give the committee and Conference right and power beyond any thing presumed by either party, in the case of Dr. Capers' resolutions, and *hence* the instruction given to report a "constitutional plan." It follows, therefore: 2nd. That any attempt to infer the alledged unconstitutionality of the plan adopted, from the opinions of the committee respecting the plan of Dr. Capers, is unfair and unauthorized, in view both of the logic and the facts of the case. The grounds of action being essentially different in the two cases, the reasons and motives influencing men of sense, could not have been the same, and accordingly what was deemed unsafe and impracticable in the one, was agreed to as safe and advisable in the other. And the whole objection being thus obviated, the preceding reasoning remains in all its force, in favor of the constitutionality of the plan of separation as *projected* and *sanctioned* by the Majority. Bishop Soule, speaking of Finley's resolutions, says, "not a doubt remained with me, that the adoption of the resolution would result in a *division of the Church*." He adds, "measures were finally adopted by the Conference, *providing* for a peaceful and equitable separation between the North and the South." Dr. Olin says, "the *provisional* plan of the General Conference was avowedly based on an *anticipated necessity* expected to result from the state of public sentiment at the South, and from the peculiar relations of the Southern Church to existing institutions. The *only wish expressed or manifested* was that *the two great divisions* into which our Israel hereafter must be organized, should occupy positions *the most favorable* to the discharge of their high obligations to the world and its Saviour." This is a faithful report of what actually took place. It is a statement strictly conformed to the facts of the case, and future developements will sustain its truth, despite a thousand malignant editorials and other efforts vainly attempting to make it appear that the South was to leave the Church as a secession. Every true friend of Methodism will read the following burning sentence from the same pen, with prophetic interest: "I shall look upon the Methodist Episcopal Church as *forever dishonored*—I shall look for some *signal mark of the Divine displeasure*, if after sufficient time has elapsed, to test the insufficiency of all plans of compromise, she shall *decline* to adjust on *equitable* terms, *all* the questions that *must arise* from the *separate organization*." There is one other view of this subject, to which we should call attention. Great consequence has been attached to an argument against division, on the ground that unless the Annual Conferences, by a three fourths vote, shall authorize the General Conference, that body has no right or power to act at all in the premises. This argument is good for nothing, because it cannot apply, unless it can be shown, that the question of separation is covered by the *restrictive rules*, and as this will not be attempted, it further follows that it was entirely and constitutionally competent for the Annual Conferences to act as they did, through their representatives "in General Conference assembled." As the separation proposed

is not prohibited by the constitution nor by law, and the General Conference has full power to make rules and regulations necessary to the common welfare of the Church, if that body believed separation necessary to such welfare, (as they must have done or would not have provided for it,) the claim of constitutional right seems to be a necessary inference, and thus strengthens the general argument.

Moreover, this whole question as to constitutionality, is varied by the peculiar character of its subject matter. Were it a question of either faith or morals, properly, (although not included by the restrictive rules) we should be inclined to prefer (notwithstanding constitutional right) that the Annual Conferences, rather than their Delegates in General Conference assembled, should settle it. (*A novel doctrine or practice* not inconsistent with the "Articles of Religion" or "General Rules," would be of the kind we mean.) But such is not the character of the question. The true original issue between the parties is, a *difference of opinion, political and religious*, as to the *lawfulness* and *consequent moral character* of a *civil relation, created* and *protected* by the *supreme* and *municipal* law of the country; and the *right*, further, of ministers and members of the Methodist Episcopal Church *to sustain this relation*, without detriment to their *other* relations and interests, whether *as citizens* or as *professors* of christianity. On this question the Nation and the Church, as the general rule, divide *territorially*, as the States admit or exclude slavery. The slave States being a minority, and the same being true of the Southern division of the Church, both originally refused to leave this question unsettled, and to be at any time determined by the Majority, and sought protection, the first by the treaty provisions of the federal constitution, and the second, by attempts from time to time, as fully shown in these pages, to procure the enactment by the Church, of such conservative and permanent laws, as would be most likely to secure to the South the ends of social justice. As therefore, it is the first and most fundamental function of every constitution, to achieve the objects of the organization to which it relates, and the moral unity and enlarged influence of the Church must rank among these, if it be found, as no one can doubt, after the solemn attestation of sixteen Annual Conferences, that the course of the Majority, (being little more than one half of the Church,) must necessarily injure and depress the Minority, we repeat, these things being so, the *right of remedy* must accrue *under the constitution*, even where the consent of the Majority is wanting. We introduce this argument to show, that were the Church North to adopt the malign advice of its public organs and special agents, and attempt to drive us off as a secession, it *could not do so*. Not having violated any law of the Church, as even our revilers admit, and not intending any change with regard to its Faith, Morals, or Discipline, the *constitution protects us* and we rest secure. In the event we are treated by the North as threatened by the conspiracy of the Press against General Conference authority and Southern interests, beside the means of redress left us, we shall have the proud and cheering consciousness of high vantage-ground in being chargeable with no *Punic stain* in retreating from the obligations of a plain public engagement, or trifling with the sacredness of a grave, official trust. In such a cause, and so sustained, we can afford to suffer.

The *civil condition and relations* of the societies in North America, are assigned by Mr. Wesley as the ground of "separation" between the British and American Methodists. The *same* reason specifically was assigned in the instance of the Canada "separation." In both these instances, the Church was "divided" by the highest authority in it. If the reader will turn to the Declaration, Protest, and Debates, so often alluded to, he will find that a precisely *similar* reason is urged as the *sole* ground of the separation now pending in the Methodist Episcopal Church. It is asserted, however, that

there is "no necessity of division," and it will be proper to notice by whom and upon what grounds this is assumed. Did the General Conference leave the question of necessity to be determined, as it has been by the dogmatism and impertinence of the Press? The "Southern Conferences" were constituted the judges by express enactment and stipulation in the plan of separation. The sixteen Southern Conferences have decided the question with unprecedented unanimity. The question has been settled by the tribunal to which the General Conference referred it, and of course by the only one having any right in the premises. The "Southern Conferences" had by *consent* and *contract* of parties, the sole arbitrement of the question. Any attempt, therefore, to control the result by Northern interference, is not merely a gratuitous meddling with the subject, but a breach of good faith. Certainly when the General Conference left the decision wholly and absolutely with the Southern Annual Conferences, and pledged themselves to abide the result, it was not expected that the intrusive dictation of the Press would thwart their purposes, by appealing the case to a different tribunal. The defence of the action of the Majority in their course against slavery was to be expected, and is not excepted to on the ground of right, but the attempt as we have explained at length, to defend the action of the Conference in *this* case, and yet *impugn and set it aside* in the other, although equally bound to defend both, is such a manifest abuse of official trust, such an outrage offered to the good sense and virtue of the appointing power, that but for the high state of party feeling in relation to the South, such official malversation would not be tolerated for an hour. It is really grateful to be able to turn from the gross injustice thus done, not less to the South than to the North, and attend to the rational and manly decision of Dr. Elliott: "We are persuaded *distinct organizations must exist* in the *nature of things*, in the Methodist Episcopal Church in the United States, and that *necessity* and *scripture principles* will *inevitably enforce* them. We believe that the *unity*, purity, power, and extending influence of Methodism, may be promoted by these means." So thought Wesley when he set off the American societies as a distinct organization. So thought the British Connexion in giving the Irish Conference distinct organic being. So thought the Methodist Episcopal Church in setting off the Canada Conference as a distinct organization. So thought one hundred and forty seven members of the late General Conference against twelve, in relation to the proposed Southern organization. That the right and power to declare, by consent of parties, one portion of the Methodist Episcopal Church an independent and separate organization, with regard to every other, have been assumed and exercised by the General Conference, and acquiesced in by the whole Church as constitutional, can only be doubted by those who are ignorant of the facts. No sophistry can misconstrue the following resolution of the General Conference of 1828: "*Resolved*, That the *compact* existing between the Canada Annual Conference and the Methodist Episcopal Church in the United States *be*, and *hereby is dissolved*, by *mutual* consent." If the "compact" between *one* Annual Conference and the Church, can be constitutionally "dissolved" by the General Conference, it can be done in relation to *any number*, as the compact in every instance is precisely the same. The General Conference avows the adoption of the above resolution in view of a "separate Church establishment," which the Conference expressly acknowledges to be (in prospect) a Methodist Episcopal Church, and the Bishops are requested to ordain a Bishop for the new "Connection," so called by the Conference, and no reasoning can invalidate the conclusion that the action of the General Conference in this case, based upon the declaration and request of the Canada Conference, gave birth to the "Methodist Episcopal Church" of Upper Canada. How fully and forcibly this applies to the separation of

the Southern Conferences, will be seen by all. The reasons in both cases originate entirely in a *necessity* created by *civil relations and interests*, and are therefore, essentially the same, so far as principle is involved. But notwithstanding all this editorial dictation, in defiance of General Conference *action* and *avowal*, as we have shown, in utter disregard of the facts and the evidence in the case, in perfect contempt of their own glorified majority theory, and the men who employed them *as their representatives*, by electing them to office, in defiance too of their virtual pledge to sustain the body at whose hands they accepted office; despite all these, if Editors could be believed, we are to be a "secession," or else (unlike Editors) submit to whatever the majority may choose to impose upon us. It would be no difficult task to take the leading postulates and general reasoning of some of our Northern papers, and prove the Editors of them to be "seceders" from the Methodist Episcopal Church, to the full extent it is possible to believe what they offer in the shape of premises and conclusions. By every argument they offer, proving us to be seceders because we resist the will of the Majority, they publish themselves as *such*, inasmuch as they are doing the same thing. The cases we know are not exactly similar, but the circumstances making them differ are in our favor, as elsewhere shown. We gave notice to the Majority, by formal protest, *before* the action of the Conference was *final*, that we would not submit. Did our Editorial Nullifiers of General Conference action, either before or after their election, inform the Conference that they should resist its will? Had this been so, who does not know that no one of them could have been elected? Holding the principles they now avow, did not honor and fair dealing require that they should do so? If they have since changed their principles, how can they honorably continue at a post they know they could not have occupied, had such change been known, or rather with the views and principles they now avow? Is there no abuse of privilege, no betrayal of trust in all this? Beside, these men are not constitutional officers; they are mere special Agents, holding office temporarily, while the Southern Conferences are constitutional contracting parties in the organic structure of the Church, and as such, have rights which no sensible man will think of in connection with special temporary Agents. But further: these Agents, although unknown to the constitution, and as such, constituting no part of the Methodist Episcopal Church, have so usurped right and magnified their official consequence, as to declare in substance, a law of the General Conference null and void, by various attempts to induce the Annual Conference and the Church not to regard it as binding, but to treat it as a "nullity," and promising indemnity at the same time, in the event of such resistance. Let the Bishops and General Conference give their opinion of such conduct: "we regard it as of unhappy tendency, that either individual members or official bodies should employ terms and pass resolutions of censure and condemnation on their brethren, and on public officers and official bodies, over whose actions they have no legitimate jurisdiction." What is the jurisdiction of our censors in the case under notice? We have said, were they constitutional officers, it would be different. As it is, they have no rights except such as they derive from those who employ them. But for the authority they defy and set at nought, they would have no right to speak at all—would not be found indeed in the places they occupy. How entirely different our position is we have shown. We exercised the constitutional right of a Minority, and refused submission from the moment the wrong was inflicted. We demanded reparation on the ground of law and constitutional right. When the Majority said they could not recede, we then asked for a division of General Conference jurisdiction, that in future, as a large substantive portion of the great Methodist family, we might not be re-subjected to similar treatment and difficulty; and this was thought

so reasonable by the Majority, they authorized us to do as we proposed. Connect, then, the constitutional rights of the Minority with this authorization of the Majority, and it will be seen we do not lack warrant in the course we have pursued.

Among the thousand difficulties interposed to deter the Southern Conferences from action, their right to meet *in Convention* according to appointment, is called in question, and some no doubt, have felt the force of the objection. The right in the case connects with the Southern Conferences as such. The legitimate right of the Convention to meet and deliberate, and its authority to act conclusively in the premises, result from the circumstances rendering *it necessary*, and the manner of its projection and getting up. As means to an end it was in the contemplation of all, when the plan of separation was adopted. By authority, the necessity of division was to be judged of by the Southern *Conferences*, not the *people*. The Majority did not propose to *consult the people*. It was the Southern Ministry in their address to the Methodists of the South, who first brought out the idea and adopted it as a principle of action, to confer with the people fully and unreservedly. We knew the people had no constitutional right to *decide* and *determine*, as such right is precluded both by our form of government, and the repeated declaration of the General Conference. Still we determined to consult them, and not act in contravention of their wishes and interests. They have decided the question as the action of their representatives assumed they would. Much the greater proportion of those who dissent from the South are upon the border, and the larger number of these do so because the disguises and misrepresentations making up the sum of their information on the subject, have led them to think only of a "*secession from* the Church," instead of a "*constitutional division of the Church*," as *expressly resolved by the General Conference*. And so soon as these perversions of truth and fact are rightly understood, multitudes who now hesitate will hesitate no longer. The motives and intended effect of these misstatements, are becoming more and more intelligible every day, and the result is, individuals and societies are changing ground, even after formal committal, and falling in where they properly belong. And it is no disparagement of character or claim, to suggest what is morally certain to occur, both as regards individuals and societies, that even after an appeal to the Convention against division, its necessity will be felt and sanctioned by the remonstrants. Meanwhile, it is to be expected, that there are in the Southern States, and especially upon the border, anti-slavery men and abolitionists, who cannot be thought of as ever likely to coalesce with the South, and their number may be considerable. Northerners and foreigners not a few, with Old and New England and free State principles on the subject of slavery, as well as others, native citizens, will dissent from the policy of a Southern organization. Nothing else could be expected. A similar state of things, we know equally well, will be found upon the Northern side of the border, and all without affecting the main question. When the General Conference acted on the subject, it was well known and perfectly understood, that the Southern Conferences would of necessity, have to meet in Convention before a Southern organization could possibly take place, and the Convention will accordingly meet under the full and obvious sanction of the General Conference. The General Conference explicitly authorized the Southern Conferences to form a separate organization if they saw proper, and all means necessary to such a result have of course, the official approval of the General Conference, and hence the right and authority with which the Convention will meet. Beside, sixteen Southern Conferences and about two thirds of the Northern Conferences have (the former directly and the latter indirectly) given their sanction to the Convention. Whether the Convention then shall proceed to organize a separate jurisdiction, as contemplated by

the General Conference or not, the holding of the Convention will be a *regular Church procedure*, accredited in proper form by the highest authority of the Church, and in no sense whatever an irregular revolutionary movement. Several of the Northern Conferences not voting for the change of the sixth restrictive rule, at their recent sessions, have intimated their intention to do so, should the South resolve to organize. And it is confidently believed that not more than three or four of all the Northern Conferences, *if a single one*, will finally endorse the doctrine of the Northern Commissioners for the division of the Church funds, that we are not entitled to a pro rata share of them, unless we consent that what the General Conference calls *'a constitutional division of the Church*," is really nothing but a "secession" *from* it! We shall see. The South did not expect, did not even wish to be called *the* Methodist Episcopal Church in the United States. They had no desire or purpose to usurp or supplant, in this respect. It was very generally agreed among the Southern Delegates, that if allowed to separate, as the General Conference authorized, with their just share of the Book Concern and Chartered Fund, and holding their *own* Church property, they would be known as "*the Southern Methodist Episcopal Church*." They were only anxious to preclude all idea of *secession* from the Church, or departure of any kind from the great principles of American Methodism. Securing this last result, we are by no means ambitious as to title, or the name by which we are to be known. We intend to be understood, however, both as it regards our *principles* and *action*. If denounced and defamed as a "secession," by the *Church* North, as we have been by Northern Church Editors and others, it will remain to be decided by other men and other methods, *what* has essentially constituted the Methodist Episcopal Church since 1784, and in what the South has departed from it. The North will not be permitted to settle this question, any more than the South. The party adhering to *law and usage* will be the true Church, whether North or South, Majority or Minority. We cannot be unapprised of the united effort of partizan leaders and portions of the Church, from Maine to Illinois, to produce the conviction and spread the alarm that the South is about to become a "secession." And among the means employed, is the rallying shout for the *union* of the Church by the very men *who dug its grave*. Herod East, and Pilate West, the abolitionist and conservative, have simulated the sacrifice of dislike and enmity upon this fancied altar of their own erection, and in hope of realizing the purposes for which they "made friends;" are likely to relish with no common zest, the "feast of charity" which is to give to oblivion the "bitter herbs" of their former intercourse, or it may be want of it. The South never thought of a separate organization, until it became necessary to preserve Methodism as it was before the innovations of the last General Conference. It was the only remedy left us for correcting the effects of an abuse of trust by the Majority, and for doing this we are subjected to the abuse and villification of exasperated partizans, as "dividers" of the Church and "seceders" from it. Do our enemies hope to divert attention from the true issue by a resort to such methods of vague *ad captandum* imputation, unsupported by the suffrage of facts or the semblance of truth? We believe we have already submitted a sufficient amount of evidence to prepare the reader to determine, with which party originated the *necessity* of division, and to whom rightfully belong the epithets "divisionists, seceders, &c.," so liberally applied to us. The Majority have earned the distinction at no common cost, and history will see that they are not deprived of the honors they have won.

It may be well here to recur to a former topic: It has been urged with imposing emphasis, that the division of jurisdiction proposed, will tend to a dissolution of the political Union of the States, North and South. In our judgment, however, its direct

tendency will be to prevent it. That the controversy in the Methodist Episcopal Church for the last twelve years, has tended to such a result, few will doubt; and all agitation of the question of slavery, must, of necessity, continue to do so. If we do not separate, it is morally certain we shall have nothing but agitation on the subject. In the event of a separation, after a brief border, and perhaps some intestine war, the fair probability is, we shall have peace, and the business of agitation subside entirely, or at least nearly so. The rights and feelings of the parties will reciprocally command, and bring about a state of comity and good feeling infinitely more favorable to the stability of the National Union than the existing state of things, and the exciting agitation consequent upon it. In any event, should the Northern abolition crusade continue and gain strength in its political aspects, the safety of the Union must be endangered in proportion, and no man can hide the threatened evil from his eyes. It must be seen and looked forward to. As the friends then, and uniform supporters of the National Union, what are we, as Southern Methodists, called upon to do? Obviously to select that course of policy and action which will be best calculated to repress abolition excitement and agitation, and so far as the Methodist Episcopal Church is concerned, if correctly represented by the Majority in the late General Conference, and the course there indicated is to be persisted in, we regard separation as the only mode of doing it. The charge insinuated against the South, in at least one, if not more of our General Conference organs, that they are disposed to favor the views and designs of men whose political course and purposes aim at a dissolution of the Union, and that they are probably acting in concert with them, is as truthless and unfounded as it is insidious and dishonorable. One of the grave and influential motives which determined the South to protest against the proceedings of the North, was to prevent an impression South, that a Northern anti-slavery majority might trespass upon Southern rights to any extent they felt inclined, without resistance by the Southern Ministry, and thus increase the difficulties already existing between the free and slave holding States. It was, and continues to be, the belief of the Southern Delegates, that nothing but a generous and manly adherence to the compromise of the Federal Constitution, on the subject of slavery, can possibly perpetuate a union originally based upon it. And believing the Methodist Episcopal Church in the North was infringing that compromise, by ecclesiastical action in violation of political right, they knew existing evils in the South would be greatly, if not hopelessly aggravated, did they allow themselves to become unresisting parties to the encroachment complained of. And taking the same view of both political and church parties, they were led to look upon a separation of General Conference jurisdiction as most likely to prevent, as far as the Church was concerned, final and incurable disunion in the one and the other. One thing is certain, unless rigid adherence to law and right is proof of an attempt at disunion, the South needs no vindication against the charge. And it is equally certain, that by how far infringement of law and right, as shown in these pages, tends to disunion in Church and State, to the same extent are those who bring the charge against the South, guilty of it themselves. We have seen how the compromise of the Constitution of the United States, the great national compact, is being infringed and set aside by abolition and anti-slavery propagandism. We have seen how the corresponding legislation of the Church has been superseded by the tactics of a loose and reckless expediency, and such defection from law and right, and failure to maintain and assert the claims of relative and social justice, will explain to men of sense and candor at whose door lies the charge of undermining the foundations, and invading the sanctity of the National Union. The Bishops say, in their address, in 1840, and might have repeated it with equal truth in

1844, "at the last session of the General Conference the subject of slavery, and its abolition, was extensively discussed, and vigorous exertions made, to effect *new* legislation upon it. We regret that we are compelled to say, that in some of the Northern and Eastern Conferences, in *contravention* of your christian and pastoral counsel, and our best efforts to carry it into effect, the subject has been agitated in *such forms*, and in such a *spirit* as to disturb the peace of the Church." Would to God the Church of our common love had learned the lesson in time, before it was too late to prevent the calamity already upon us, that whenever the Bible ceases to be the deep, and broad, and *one* foundation of our religious convictions, all is unsafe and in danger, because at the mercy of unbridled fanaticism! Who, then, are the true "divisionists" in this controversy? Will not the common sense of the Church and the world decide that those with whom, or rather connected with whose conduct, originated the necessity of division, are the persons or party really entitled to the distinction, and exclusively accountable for the result? That it was the Northern party who took new ground upon the slave question, we have, as we think, clearly proved in this discussion. That they took ground equally new and untenable, on the Episcopal question, we shall have occasion to show in the sequel. That they, and not the South, have departed from law and order, we think susceptible of the clearest demonstration. That they have recently manifested a most striking proclivity to change, a prurient appetence for innovation, will scarcely admit of doubt. How far such mental and moral habitudes may be characteristic of the North, rather than the South, we shall not take upon ourselves to determine, but leave them to verify or disprove the statement of Robertson, the Historian, with regard to the good old stock, their ancestral types: "from the first institution of the company of Massachusetts Bay, its members seem to have been animated with a spirit of *innovation* in *civil policy* as well as *in religion*; and by the habit of rejecting established usages in the *one*, they were prepared for deviating from them in the *other*." Connected with the supposed tendencies in question, we have seen what has been the influence of interest and policy. A Northern Clergyman says, "the different physical features and agricultural productions of the South and North have more than the force or absence of proper moral feeling, banished slavery from the one, and perpetuated it in the other. Had New York, New Jersey, Pennsylvania, or even New England, produced cotton, rice, indigo, and sugar, it is not improbable slavery would have continued in these States, and increased its numbers here to this very hour." Many of the first men of the North have expressed similar opinions, and proved their sincerity by the magnanimity of their conduct.

If the Church be a unit, in the sense insisted upon in this controversy, not only *one*, but indivisible, it must, of necessity, by means of such mystic unity, be connected with slavery, in all its sections, in New York and Boston as well as Charleston and New Orleans. If that unity, as has been contended, turns mainly upon the Traveling Ministry, as holding and exercising the *governing power* of the Church, it follows, of course, that the whole ministry, so far as it is a unit, is connected with slavery, because slave holders are found both in its own ranks and throughout a large extent of its pastoral charges. Who can forget with what revolting horror the frightened North prayed that slavery might not be "returned and rolled back" upon them. But what meant this devout deprecation? Had it really any meaning at all! Slavery returned—rolled back upon the North, without adding a solitary human being to the number of either slaves or masters! And what makes the matter still more difficult to be understood, all this evil befalls the North without any change even of *relation* in the instance of any one of all the thousands concerned! Plainly, however, Bishop Andrew must not

go North, and so we say too. But in all his constitutional relations, as Bishop of th Methodist Episcopal Church, *he is North* as well as South. He is Bishop there, *b right*, and was so declared by *Northern* votes in May last. His official jurisdictior by *consent* and *decree* of the Majority, slave holder though he be, extends to every Cor ference, District, Circuit, Station, Church, Pulpit, Fireside, and Closet. He is Bisho of the whole North, *by law and right*. To say he rightfully sustains the *relation*, bu is not allowed to perform its *duties*, only makes the matter worse. The reason of th result is not found in the fitness of things. If it be said he is merely *requested* not t perform its duties, it is still worse, for it is left to the Bishop himself to say whethe he will discharge the obligations of a trust, which law, and the vows of office requir shall be discharged with unrelaxing fidelity. The general evil complained of, is ir creased too, by another view of the subject. How many Northern men, not a few c whom are now abolitionists and anti-slavery agitators, have been ordained by Bisho Andrew during the last nine years, and since his connection with slavery, and have thu become the medium through which the evil has been returned and rolled back upon th North? What is to be done in this case? If there has been defilement, how is it to b got rid of? What would be the effect of the re-imposition of hands by an Abolitio Bishop? Will it be tried? But again, the Majority claim Episcopal power for th General Conference. According to the traditions of 1844, they are the *ordainers* an *administrators*, by the Ministry of the Bishops, as their mere agents, removable at wil and as such, the General Conference, North and South, are annually, and have been fo half a century, ordaining slave holders, and recognizing the *scriptural lawfulness* c the evil of slavery, in all the forms and relations of church administration, and hence connection with slavery in another form; and what, we ask, is to be the remedy i this case? Has it been duly considered at the North, to what extent the entire Episcc pacy is connected with slavery, by annually ordaining, with the consent of the whol Church, scores of slave holders, and sending them out in the name of God to preach th Gospel, and exercise pastoral supervision in the various fields of Church enterprise In view of this multiform connection with slavery, what will the Church next attemp North?

The plan now seems to be, to drive off the South as a secession. But this cannot be as we have seen, without subverting the authority of the General Conference, and to d this, is to destroy the existing government of the Church. We know many Norther men who are trembling at the audacity of the experiment. They perceive the effec must recoil upon the North. It is perceived that if they nullify the action of the las General Conference, *that* of the *next* may be nullified in like manner, no matter to wha it may relate; and hence, an interminable train of evils, tending to the overthrow o all government. If, for the good and sufficient cause we have shown, the Southern movement in Bishop Andrew's case be regarded by the North as so extremely danger ous, why is it, that in an attempt to correct our error, they commit a precisely simila one, with the manifest disadvantage against themselves, of not having anything like the same indemnifying reasons for their action.

But we are sagely told the General Conference only authorized a "friendly" separa tion. By "mutual and friendly division," was certainly not meant, as Editors and oth ers contend, that any manifestation of improper feeling, North or South, would vitiate the contract, and "nullify" the official action of the General Conference, but simply that the separation, upon fixed terms and specified conditions, was to be *mutually* agreed to, and ratified by the parties respectively, without a resort to revolutionary party vio lence. No man, asleep or awake, ever dreamed that the ordinary excitement usually

tendant upon a controversy involving the passions and interests of millions, could nder null and void the obligations of a plain contract, deliberately entered into by the rties. If the parties have been out of temper, and have displayed bad passions, it is be regretted certainly, but cannot affect the contract between them. It was the im-ssibility of living together in harmony which led to the agreement to separate, and urge the necessary effects of such want of harmony, in vitiation of the contract, is o preposterous to be thought of. Even heaven requires us to "live peaceably with all en," in view of the *exception* that it is *impossible* to do so with some.

It may be the Protest misapprehended the "sense" of the General Conference as to e judicial or merely advisory character of the proceedings in Bishop Andrews' case. 'hat else could be expected when the Majority obstinately continue to disagree among emselves, and as a party, have not yet decided what they meant. The Bishops, in eir address of the 30th May, understood the action proposed by Finley's resolution, an adjudication, a judicial proceeding. Both before and after it had passed, the uth understood it as having the force of a mandatory order. Take the mooted form expression as elsewhere and otherwise used by the same body, and what is the in-rence authorized? "*Resolved*, That it is '*the sense*' of this General Conference, that e vote of Saturday in the case of Bishop Andrew, be understood as advisory only." 'hat is meant? Plainly, *ordered* that it is the judgment, &c. "*Resolved*, as *the sense* this Conference, that Bishop Andrew's name stand in the Minutes, Hymnbook, and scipline as formerly"—that is, undeniably, *ordered* that, &c., nothing advisory about "*Resolved*, That it is *the sense* of this General Conference, that the Church now ands, in relation to the testimony of colored persons, as it did before the General nference of 1840." The only and obvious meaning is, *ordered*. &c. *Resolved*, at it is *the sense* of this General Conference, that paragraph, &c., stand, &c.—that , *ordered*, not advised. "It is hereby declared to be *the sense* of this General Confer-ce, that J. V. Potts, be restored, &c." In all these instances, the form of expression ed in Bishop Andrew's case is mandatory, and it is not used in an *advisory* sense, in y instance upon the Journals of 1840 or 1844. What then is the presumption crea-d? Is it not in favor of the construction of the South? The Protest proceeded upon e assumption that all application of law or its principles, is necessarily judicial in its aracter, whether such in form or not, and that if *conduct be censured in view of law*, a tribunal having cognizance of the case, it is a judicial act. Finley's preamble stinctly charges a violation of law, and his resolution is a judicial judgment follow-g upon the charge. There is a formal indictment and a specific finding. Disability consequence, is inflicted on Bishop Andrew, and reaches him in the shape of penalty. hey gave him a parchment, declaring, that in their judgment, God had called him to e work and office of a Bishop. They give notice in their proceedings against him, at for specific reasons, they have seen proper to decide that he ought not to do the ork appropriate to his office, and he is, therefore, punished, a thousand denials and sclaimers notwithstanding. If we grant, however, that the joint resolve of abolition nd anti-slavery, known as Finley's, was but advisory, it does not affect in any mate-al sense, the reasoning of the Protest, for the *character* of the prosecution does not sentially, by any means, turn upon that of the decision, and the Protest principally scusses the general movement. If we knew the true position of the North, we would eet it, but we do not. Dr. Bond at first took great care to show the famous resolution dvisory; subsequently, he has obviously based his reasoning upon its mandatory force, s any one can see and show by his editorials. The New England organ regards the solution as a mandamus. Dr. Elliott, in the Reply, says it was mere advice. In his

paper, however, he demolishes the Reply, and says the resolution has all the force o law. And a score of similar contradictions and cross opinions, from the same party might be pointed out if necessary. We have seen that the Reply says Bishop Andrew was not tried—that the proceeding against him was not judicial—was not punitive that he was not legally suspended. Now admit that Bishop Andrew was not tried in due form—that the proceeding against him was not judicial pursuant to law and right—that he was not punished in any sense known to law and usage—that he was not subjected to legal suspension in any allowable sense; still it does not follow that the statement of the Reply is true to the facts in the case. Bishop Andrew was irregularly tried. He was informally subjected to judicial process, and judicial disability being the result, he was, to all intents and purposes, punished. The nature of his punishment is defined by his Judges; he is to "desist" from the exercise of his functions that is, (nothing else can be made of it,) he is suspended, and the question next arises how far the suspension was constructively removed or modified by Mitchell's resolutions. When formally moved to do so, the Conference refused to declare the resolution advisory. They refused to adopt their own report, made by special order, a prominent feature of which was, the advisory character of the resolution. Utterly at variance among themselves, as to what they meant then, or might afterwards find it convenient to mean, how can it be expected that others should understand them? Refusing to say or admit that the resolution was simple advice, when gravely called upon to explain their meaning, did they not officially authorize the alternate construction that the sentence was mandatory, or that they deemed a resort to verbal equivocation necessary to accomplish the purposes they had in view? It is contended the "dignity" of the body would have been lowered by explanation. In what way it was asserted by failing to express themselves intelligibly, even to their own party, will probably be as inobvious to many, as the meaning of the resolution itself. What is most extraordinary, however, is the fact, that the Majority are as far from agreeing among themselves now as they were ten months ago. As a party, they refused to explain, and so far as individuals have explained for them, they have affirmed and denied—said and unsaid; their yea has been nay and their nay yea. One man, one class of men affirmed Bishop Andrew was blameless; without reproach, and must not be censured because he had violated no law or rule of the Church. Others said he had acted in "bad faith"—"dishonorably"—"was a dishonored man," and guilty of "gross immorality;" and yet these very men, one and all, under the cohesive influence of party combination, voted for the same thing, and went for the same measures; voted both for Finley's resolution and Mitchell's explanation; some declared the former mandatory and others advisory. One half unite in saying, if the Bishop exercise his functions, he is responsible for disobedience to the express will of the Conference, the other say no, he will only be held accountable for not deferring to advice. Both agree in refusing to say he shall work, and are equally united in refusing to say he shall not, and all, it seems, are unanimous in the purpose, that whether he shall work or not, it shall amount to the same thing. Facing the North, they all declare they cannot and will not have a slave holding Bishop and turning to the South, they instantly determine that they have and will have one. They refuse to request Bishop Andrew to resign, and then turn round and blame him for not doing what they thought it improper to request of him. They order an explanation of the whole affair by several of their most distinguished men, each a host in himself, as it regards character, learning, and influence, and then refuse to adopt it. They direct the argument and opinions of Drs. Durbin, Peck, and Elliott to be spread upon their Journals without official sanction, and yet ostensibly as the judgment of the

Conference. Take then, the action of the Conference upon Finley's resolution, and it will be seen that the positions and reasoning of the Protest are fully sustained. And turning to Mitchell's resolutions, giving a new aspect to the whole subject by additional and different action, and it will appear equally clear that Bishops Soule and Andrew have acted in perfect conformity with the only intelligible position the Conference finally chose to assume, in relation to the whole affair.

Recent intimations that Mitchell's explanation is yet to be explained, seem to indicate that the great Northern party are by no means settled as to purpose or policy, end or means. What the result may be as it regards these, we have no means of knowing. We know, it is true, for we have the evidence in our possession, that there is a large amount of dissent and dissatisfaction North, in relation to the course pursued by the official Press, but whether such dissent will ever be developed and embodied in any available action, admits of doubt. It is not unlikely the principal results will be confined to want of confidence, division, and distraction among the different sections of the party.

Editors charged with the management of the Church, the General Conference, the Episcopacy, the Annual Conferences, and so on, as the greater includes the less, are certainly potent agents, and wield effective instrumentalities, and may ward off evils which we deem inevitable. Meanwhile, it is our opinion that, however party policy and interest may hold the great Northern mass together for a short time, (supposing the South to organize,) yet at no distant day, the anti-slavery of the more Northern Conferences, will drive off all connected with slavery in the Baltimore, Philadelphia, Pittsburg, and Ohio Conferences, as well as societies "adhering" North, on the Southern border, or failing in this, will declare themselves independent, and throw themselves in conflict with the Conferences now connected with slavery. Were the slave holding portions of the Conferences just named, to unite with the South, (an event not at all likely to occur, as will soon be shown by the Baltimore Conference,) the entire North might remain together, but in view of the course things are now taking, continued union is extremely improbable. So soon as these sections are found in a state of actual wardship under the Northern guardians of the Church, it will be demanded of them to relieve the Church North of the last vestige of slavery. This demand will no doubt, be resisted, and disunion and conflict, followed by separation, will be the result. Without the compromise shown in these pages to have so long distinguished the relations of "Methodism and Slavery," it is impossible they can live together in peace, although hostility to the South may keep them together for the purposes of defence and aggression as a party. The pertinence of the following language, from a Northern source, in no way implicated in this controversy, will be appreciated by good sense everywhere. The various necessities (of the Church,) are sometimes too *obstinately discordant* to be met by any general laws, and yet general laws alone can be passed. Such are the *contrarieties* of views, principles, interests, and ulterior objects, that the legislation of the General Conference is of *sheer necessity*, conducted on the principle and in the spirit of *compromise*." The vigorous minded author of the above sentence saw clearly, that the *moral* and *ecclesiastical* cannot be separated from the *political* relations of slavery wherever it exists, under the high sanction of the civil polity of the country, and we have seen that it so exists in the United States. Our connection with slavery is strictly national. It exists in the South *by consent of the North*, and from the very foundations of the government blends indissolubly with our national existence and relations. The responsibility, whether as it regards its existence, continuance, or removal, belongs to the nation as such, and not to the South alone. This opinion has been deliberately

avowed, not only by the first statesmen and jurists of the country, but virtually, as we have seen, by Congress, and gravely and formally by nearly one half the State Legislatures of the Union, in connection with the objects of African Colonization, particularly Massachusetts, Connecticut, Vermont, New Jersey, Pennsylvania, Maryland, Virginia, Georgia, Tennessee, Ohio, Kentucky, and Indiana, seven of them being non-slave holding States. Any attempt to palm the evil upon the South as *sectional*, can only be the result of ignorance or ill nature. The great act and means of our nationalization, both as a people and as several different States in union—the formation and adoption of the national constitution, places this beyond dispute. So far as slavery is evil, it is the nation that has sinned, and the nation must make the atonement, in some form or other. The slave States have never shown themselves unwilling to make their share of the atonement, by safe and proper methods. Speaking of Southern emancipation and the separation of the races, Mr. Jefferson says, "although more important to the slave States, it is highly so to the others also, if they were serious in their arguments on the Missouri question. The slave States too, if more interested, would also contribute more by their gratuitous liberation, thus taking upon themselves alone, the first and heaviest item of expense." If it be alledged that the system of Southern domestic slavery precludes the hope that the South will so act as to sustain the high interests of civil liberty in the United States, it will perhaps be sufficient to reply to the charge, as did *Edmund Burke* to a similar charge in the British Parliament: "the people of the *Southern* colonies of America, are *much more strongly*, and with a *higher and more stubborn spirit, attached to liberty*, than those to the *Northward*."

We are tempted again to ask, why the South is denounced with such unsparing bitterness for doing only what our denouncers glory in having done themselves? The Northern organs of the General Conference, assure the Church, as quietly as though they had right to do so, that ministers and people are under no obligation of any kind, to be governed by the action of that body on the subject of separation, declaring the whole to be unauthorized and not entitled to deference and submission on the part of the Church. We have seen that with infinitely better reason for what they did, in resisting the prosecution of Bishop Andrew, and with constitutional and moral right to which, the North can lay no claim, the South have done *abstractly*, nothing but what the North has, and why then so much bluster and menace against us, while their own conduct is all well enough? Does it not show at least that party and not principle is the guiding influence?

The Reply, if we understand it, perversely supposes the Protest to assume that the constitution and laws of the United States and of the slave-holding States respectively, are such that these must be violated by any effort toward the emancipation of the negro. No such idea is conveyed in any part of the Protest. Nor is the reasoning of that paper touched by the alternative so much stressed by the Reply, that law must require slave holding on the one hand, or merely allow it on the other. The logic of the Protest is not at fault unless it can be shown that this alternative view of the subject is correct in States where emancipation is impracticable, and this cannot be done, for the assumption of the Reply is contrary to notorious fact. In Georgia, for example, and nearly all the Southern States, a citizen holding slaves is *required* to hold unless he *transfer his title*, which transfer does not affect the legal servitude of the slave. What is meant by the Protest in this respect, and is contended for in the argument of this Review is, that the law of slavery in most of the slave holding States, *does not allow the freedom of the slave* and *prohibits* interference of any kind with the *relations* or *rights* of the citizen holding slaves, and it is charged that contrary to its published creed and

pledged faith, the Church has so interfered at different times and in numerous instances. If we have failed to make good the charge, the North have the disposition and ability to make it appear, and let it be done. In disposing of several miscellaneous items in this connection, we take great pleasure in repeating, what is felt to be but a simple act of justice, that in speaking of the abolition and anti-slavery of England and the North of the United States, we have, as before explained, no intention to implicate or in any way censure the *entire people* found in either, but ask distinctly that the application of our strictures and reasoning may be confined to two classes, those practically engaged in the conduct and movements we have described: and second, those who either approve or fail to resist them. If it is not our object to show that the good people of England and the North of the United States, viewed as an entire people, are *worse* than those of the Southern States, but that they are no *better*, and that the stupidly absurd boasting of abolition and anti-slavery, in behalf of the former, can be very satisfactorily replied to by the latter, whenever it is necessary. From large portions of the people of England and the North, we receive nothing but outrage and insult—the anathemas of illnature rather than the sympathies of brotherhood, and conscious we do not deserve the treatment we receive, we have thought it but just and right to let it be seen by *whom* and under what show of claim we are thus cursed and banned. On this topic we have sustained our views almost exclusively by English and Northern witnesses, and these not few in number or questionable in character. We have said of England, nothing more than what Englishmen have said—one of her distinguished sons for example, in the North British Review, "injustice, oppression, and degradation, in too many quarters of the globe, have been the *sole* fruits of British *interference*." We have said of the North nothing, it is believed, which does injustice to the truth of history. Of the South, in connection with the many unnecessary and wanton abuses, in the shape of inhumanity and vice, more or less incident to the system of slavery, we have spoken plainly and without reserve, and have only defended the South so far as we believe truth and justice entitle her to defense. Truth and plain dealing have been our object. We have no cherished ulterior aims to accomplish, beyond an attempt to render the *subject* in controversy less difficult and intractable to those who may wish to understand it. We have written under the full and strong conviction, that the ignorance in which the popular mind of the nation has been kept by its teachers, respecting the *true relations* of the North and South on the subject of slavery, is a stupendous fraud upon the unsuspecting credulity of millions, and fatally tending to the overthrow of the great national brotherhood, in which they are now so happily blended. We repeat, it is not our wish, it is no part of our purpose, to defend individuals or the South in regard to any of the *abuses* of slavery, such as cruelty of any kind to slaves, neglect of their comfort, inattention to their wants, violation of their rights—the infamous practice of driving an *internal trade* in slaves, with its usual attendant enormities for the purposes of gain; these and all kindred evils, we abhor and denounce, and shall always continue to do so, as utterly inconsistent with either religion or humanity, and as deserving the scorn and contempt of both. The Reply most disingenuously as we think, tries to involve the Bishops in the prosecution of Bishop Andrew. They say the Majority had it "forced" upon them by the address of the Bishops. The Bishops, however, made no allusion to any difficulty or disability preventing Bishop Andrew from doing the work of a general superintendent, and in their address on Bishop Andrew's case, expressly affirm the *contrary* of what the Reply attempts to fix upon them. They say in terms, that work could be given to Bishop Andrew, where he would be cordially received, "without any infraction of a constitutional principle." The con-

struction of the Reply was disavowed by the Bishops before the Reply was written, and the injustice to the Bishops is without excuse. The attempt of the Reply, endorsed by Advocates, &c. to make it appear that to hold slaves in the Southern States stands in the same relation to personal choice, and the virtues of good character with the patronage of the theatre, grog shop, and gaming table, will prove too attractive not to engage the attention of the reader without further comment from us, A cipher, whether as it regards *persons* or *things*, does not always pass for naught, and will not in this instance. The Church, both in law and practice, has always made the distinction and recognized the difference it seems to be the object of the Reply to deny and confound.

The Reply urges most strenuously, that unless a Bishop shall travel throughout the whole extent of territory embraced by all the Annual Conferences in the American connection, he cannot be constitutionally, a general superintendent, and it is argued that as the North are not disposed to receive Bishop Andrew in that character, of course he cannot be one. This whole argument is entirely fallacious for several reasons: 1st. What it requires is impossible, during the quadrennial intervals of the General Conference. 2d. It has not been the uniform practice of the Bishops for the last twenty years. 3d. The disqualification of Bishop Andrew, can only be made out in view of a demand of abolition and anti-slavery, not only extra-legal but unlawful; not only does no law require it, but it is contrary to law. And finally, the *reverse* of what is assumed has been repeatedly authorized by the General Conference. That of 1840 for example, resolved that the Bishops be recommended "to make such an apportionment of the work among themselves, as shall in their judgment most effectually promote the general good." In 1832 the General Conference resolved, "it is inexpedient to require each of our Bishops to travel throughout the whole of their extensive charge during the recess of the General Conference," and they recommend the Episcopacy so to arrange their general oversight in this respect, as shall best suit their own convenience. The General Conference of 1824, resolved that "it is highly expedient for the general superintendents to meet in council at every session of the General Conference, to form their plan of traveling through their charge, whether in a circuit after each other, or *dividing the connection* into *Episcopal Departments* as to them may appear proper and most conducive to the general good." The Bishops in May last, said, "no constitutional principle would be infringed by giving Bishop Andrew work where he would be cordially received." The Reply, therefore, is entirely at fault in this matter, as the General Conference has, at several different times, expressly authorized what they affirm would destroy the Episcopacy altogether! If not "to travel at large," through all the Annual Conferences, destroys the validity of Methodist Episcopacy, did not the late General Conference violate one of the restrictive rules, in the quasi location of Bishop Andrew, without finding him guilty of offense against some law of the Church?

It has been shown that under semblance of conformity to the provisions of a constitution and the forms of law, an unlawful and even fraudulent use may be made of both, and resistance in all *such*, and in all *analagous* cases, is the only remedy left the injured party.

The South "broke the tables" but not "the law." The North broke the law and then destroyed the tables, by proclaiming the Legislature superior to the Constitution, the restrictive articles only excepted. The South maintain that the law of the land, as the general rule and by fair implication, is to be regarded as a fundamental principle of ecclesiastical law, and that any attempt by Church action, to invade or unsettle rights and relations connected with the subject matter of the civil code, and accredited by the sovereignty of the National will, is as alien to Methodism as it is manifestly "unscrip-

tural," and if we have seemed to break the letter of the Church law, in some aspects of the subject, it was only to maintain its spirit and purpose in others of much more importance.

The object of the attempt to make the South a "secession," is two fold. It is expected to be a permanent bond of union between the abolition and old anti-slavery parties. They hope to have no further cause of quarrel as during the late "Radico abolition" war, and it also tends to the gratification of a large amount of personal grudge and spleen indulged in by Northern leaders, towards individuals in the South, who have been so unfortunate as to become somewhat prominent in this controversy. A third motive, connected with the *funds* of the Church, has its influence with some, who cannot help betraying their *reverence for the butler*, but we do not believe it applies to the North generally, nor will we believe it, until they refuse to divide as ordered by the General Conference, which we are quite sure the upright masses in the ministry and membership North, will not permit their leaders to do.

The Reply bases several of its conclusions upon the fact that the action of the Majority against Bishop Andrew, was called for by the abolition petitions presented to the Conference. The reasoning of the Repliers in this respect, is directly opposed to a formal decision of the General Conference of 1840, which declares that petitions relating to *general interests* and not involving *personal grievance*, are to be considered only as the *opinions and arguments* of the signers, and not prayer *for relief* under protection of the *right* of petition. We must, therefore, understand the Majority as endorsing the doctrines of the petitions, or else dissenting from General Conference authority. Which was intended?

Another fallacy of the Manifesto is, it seems to connect the principal functions of Episcopacy with the mere fact of "traveling at large," whereas the true idea of general superintendency is, the extent and universality of the Bishop's oversight and jurisdiction, as it regards all the various interests of the Church "temporal and spiritual," and it would have been much more consistent with the constitution and laws of the Church, if instead of the unlawful attempt to exclude Bishop Andrew, from the North, on account of a connection with slavery *authorized by the Church*, (as we have shown,) they had urged the *duty* of his *oversight* in *that direction*, to resist and subdue the invasion and defiance of law and order by anti-slavery extravagance. Another of the pro-abolition heresies of the Reply is, that what is avowedly founded in *grace*, the *will* and *call* of Christ, we mean the oversight and jurisdiction of a christian Bishop, according to the ordination service, may be forfeited or at least annulled without sin or moral offense of any kind. What right can the Church have to remove, punish, or in any way embarrass a man called by Christ to the "*work and office*" of a Bishop, when it is not even alledged that he has sinned against any law of Christ? Whatever else it may be, this is not Methodism.

We had long hoped and believed that the salvation of the slave would prove a *salvatory clause* in the anti-slavery creed of Northern Methodism, and so arrest the vandal inroads of abolitionism, as to allow the "gospel free course" among the slaves of the South. We re-advert to the subject because no urgency of appeal can equal its importance. By how much Hell is worse than the social bondage of the slave, and Heaven preferable to any condition the result of his liberation; by how far eternity is more important than time, *thus infinitely* does the poor negro need the gospel *more* than any thing else, and hundreds of thousands of them are now annually receiving it at the hands of the Southern ministry. This work, however, the North is steadily retarding by its whole course of policy on the subject of slavery. Not satisfied with inspiring

the slave with impatience and discontent in relation to his earthly lot, they dash from his lips the cup of salvation, and leave him to his fate. If they "remember those that are in bonds," it is certainly not "as *bound with them*." In this respect they are indeed fearful defaulters in the cause of the negro. How very differently did the good Asbury think and feel on this great question of life and death to the negro. Assuming the truth of Park's Travels and similar accounts of Africa, he says, "the Africans are in a state *so wretched*, that *any sufferings with the gospel*, would be preferred." After a long and conscientious struggle with his early abolition principles and feelings, this good man clung to the compromise of these pages, as the true ground to be occupied by the Church, declaring his maxim to be, "all is right that works right—all is wrong that works wrong."

Before dismissing this general topic, it may be proper to notice a covert intimation of the Reply, to the effect that whatever may be the protection extended or the rights secured to the owner of slaves by the constitution and laws of the United States and the States respectively, where slavery exists, it can be no ground of argument or action in the pending struggle between the North and South. We believe, however, the intelligent reader will be prepared to decide, in view of the evidence submitted, that the protection and security in question, are just and necessary grounds of both argument and action, and that the doctrine of the Majority in this respect, has been constantly disavowed by the Church from 1800 to 1844. The standing laws of the Church during this entire period, have pledged the public faith of the whole body, that where emancipation is impracticable, consistently with civil law, *it shall not be required of any person or class*, as the condition of Church privileges or ecclesiastical relations. The *deliberate and undoubted violation of this pledge* by the General Conference of 1844, taught the Southern portion of the Church, that the larger division of it North, had abandoned *the legal compromise of the Discipline* upon which the South had so long and confidently reposed, and that the *future relations* of the slave holding and non-slave holding Conferences, would have to be adjusted upon a *different basis*. This conviction produced the Protest, and after protracted and anxious deliberation, the parties "in General Conference assembled," mutually agreed upon a "constitutional plan" of separation, giving to each division distinct and independent jurisdiction.

In offering some remarks in the shape of an outline argument upon the rights and powers of Episcopacy, and the General Conference, respectively, before we close, it is not intended to touch the *theological* argument distinguishing a Bishop from a Presbyter, nor yet to discuss the *scriptural* rights and claims of a Christian Bishop, but merely to fix the place, and ascertain the true relations and consequent constitutional rights of a Bishop of the Methodist Episcopal Church, as the *chief executive officer* known in its government. The difference of opinion on this subject, between the North and the South, the Protest and Reply, turns entirely upon the strictly *ecclesiastical* relations of a Bishop in the government of the Church. About the scriptural character of a Christian Bishop we may differ in opinion, but have no dispute. The incipient controversy likely to become as serious, in many respects, as that on slavery, hinges, in every elementary sense, upon the Bishop's proper *constitutional* participation in the *governing power* of the Church. In the theory of Methodist Church government, as found in the Discipline of the Methodist Episcopal Church, and variously explained and illustrated in the history and publications of the Church, Bishops are regarded as a *third order* in the ministry only, in view of their *governing* powers as church or ecclesiastical rulers. They are a third order, not in the institution of the Christian Ministry, as derived from Christ, but in the structure of the government which claims to be divinely authorized

because consistent with the doctrine and practice of the New Testament, without being required by it, to the exclusion of other forms of government. Or still more explicitly, the present controversy turns upon the distribution, by the organic laws of the Church, of the necessary powers and attributes of every government, between the Episcopacy and General Conference. No question arises as to what *ought* to be the distribution of power, but the inquiry is absolutely restricted to *the fact* of distribution, as the government is known to have been organized and administered. It does not devolve upon us, nor would it be at all in place, to show in what respects the government might have been more consistently or advantageously adjusted. The only question is, how has it been adjusted in point of fact? What are the constitution and laws, and what is the evidence of practice and usage, as it regards the existing conflict of right and claim between the Episcopacy and the General Conference? After what manner, by whom, and for what purposes was Episcopacy introduced and established? How, and by whom, and with what power and rights was the General Conference organized? In what relation do they stand to each other? What are the proper functions of each? In what defined relation, especially, does each stand to the legislative, judicial, and executive power of the government? These and similar topics become the true text of discussion, apart from all speculation as to how things might have been better arranged. We offer no defence of Methodist Episcopacy. With the abstract right or wrong of its theory we have nothing to do. Whether it have more or less power than it ought to have, is a question not mooted at all. What *is* the theory, and what the vested power and rights of the Episcopacy, by our present form of constitutional government, is the true and only question. It is charged in the Protest, and believed in the South, that the late General Conference invaded rights originally secured to the Episcopacy as a constitutional trust, and over which the General Conference has no control, except in its *judicial* capacity, upon conviction of misconduct, and *forfeiture* of right. We have never doubted, for a moment, that the General Conference transcended its powers in action, and avowed principles and opinions subversive of the constitution and government of the Church. This opinion is not confined to the South. Many, among the old and the wise of the North, entertain it, and are not without fear and anxiety as to the future.

In the very cursory examination we shall be able to give this subject, we shall do little more than attempt to indicate the data and trains of reasoning connected with the conclusions we avow. The Majority of the late General Conference claim, in behalf of that body, that it is *the source* of Episcopal power in the Methodist Episcopal Church. This claim will be found in the Debates, the Reply, and in all the Northern Advocates. It has been put forth with significant minuteness in a hundred different forms. Taking rank among the notabilities of Bishop Hamline's really able and eloquent speech, it has continued to maintain its prominence down to the last hebdomadal effusions of the Northern press, and some great men have gone so far as to give notice that vows are upon them to sacrifice even life, if it be necessary, upon the altar of its defence! We trust, however, that such costly sacrifices will not be found necessary. Meanwhile, let us attend to the claim itself. What has been the doctrine of the Church on the subject for the sixty years of its existence? The testimony of Dr. Coke, the first Bishop of the Methodist Episcopal Church, is, that "Mr. Wesley was recognized by the whole body of American Methodists as the *fountain* of our Episcopal office." Dr. Emory says, "Mr. Wesley did *institute* an Episcopacy for the American Methodists." The Wesleyan Methodist Magazine says, "the Episcopacy itself was of Mr. Wesley's *enacting*." In the Minutes and Discipline of 1789, the Episcopacy of the Church is ex-

pressly said to be derived from Wesley "by regular order and *succession*." Dr. Emory says, "if the ordination of Dr. Coke, (as Bishop,) was not an ordination *proper*, and not a mere *appointment* to office, it was certainly a very solemn *mockery*—a *trifling* with *sacred things*." Dr. Bangs says, "the Methodist Episcopal Church was *organized* under the *direction* of Mr. Wesley." Dr. Coke distinctly informs us he acted, in the organization of the Methodist Episcopal Church, "*under* delegated *authority* from Mr. Wesley." Mr. Wesley having ordained one, and provided, by formal commission, for the ordination of the other, says, "I have appointed Dr. Coke and Mr. Asbury Joint Superintendants." The Discipline speaks of "letters of Episcopal ordination" received from Mr. Wesley, and also informs us that the Conference of 1784, when the Church was organized, "*received*" Coke and Asbury as their Bishops, appointed by Wesley, "being fully satisfied of the validity of their Episcopal *ordination*." In the ordination credentials of Coke and Asbury, there is no allusion to any power or right, as derived from the American Preachers, by election. Dr. Elliott says, that "Mr. Wesley having *full power* and *perfect right* to do so, provided for the American Methodists a plan of Church government and Church *offices*." He says, Wesley was "the acknowledged Bishop of the connection in America." He says, "we had *no possible chance* to obtain an Episcopacy except from Wesley." He speaks of Wesley as the "leading agent" in the organization of the Methodist Episcopal Church. He says the American Methodists appealed to him "as their Bishop or Chief Presbyter," with right to govern them. He declares Wesley "ecclesiastically called to this Episcopal work." He maintains that *ours*, "as received from Wesley, is a genuine Episcopacy." The venerable Morrell says, of the original institution of Methodist Episcopacy, "distinct ordination proves a different degree of *order*, if Mr. Wesley's conduct is to be admitted in proof." Coke and Asbury say Mr. Wesley consecrated the former Bishop, and directed him to consecrate the latter, "that our Episcopacy might descend *from himself*." Dr. Bangs says, "Mr. Wesley ordained Dr. Coke to this very office," (the Episcopal,) and sent him to America "*with power* to ordain others, and exercise functions which appertained not to simple Presbyters." He says, of Methodist Episcopacy, it was of Mr. Wesley's "own creation—the child of his choice." He adds, "Mr. Wesley certainly intended Dr. Coke and Mr. Asbury to exercise *jurisdiction* over the *whole Church* in America." And again, "Episcopal powers were certainly *invested in them*" by Mr. Wesley, and, says the Doctor, there "was an Episcopal *jurisdiction*, to all intents and purposes." Dr. Emory says, further, "Mr. Wesley *established* an Episcopal *order* of Ministers." "Mr. Wesley intended to establish the ordination of *an order* of Superintendents, to act as Bishops in fact." He affirms Mr. Wesley "did, in fact, claim and exercise Episcopal authority" in America, and was, in fact, our *first* Bishop. P. P. Sandford says: "Methodist Episcopacy emanated from Wesley." Dr. Phœbus says, "our *orders* in the Church are from God, we received them from Christ *by Wesley*." Again, Dr. Bangs says, "John Wesley, the *founder* of Methodist Episcopacy." He adds, "Wesley was the head of the connection, and as such gave *law* and *direction* to the whole body." Charles Wesley says of his brother, "he consecrated a Bishop and sent him to America." Dr. Coke says, "from Wesley I received my commission." This is the common current language of our Church writers. All unite in tracing the Episcopal office to Wesley as its source and fountain. How the General Conference came to be mixed up and united with the authority of Wesley, in giving birth and perpetuity to Methodist Episcopacy, we shall see at proper length in its place, and will only remark here, that the confusion of origin and misapprehension, as to strictly Episcopal investiture, seem to have been occasioned by two circumstances especially: 1st, The purpose of Asbury

not to accept ordination, as directed by Wesley, without the previous *concurrence* of the American Preachers, and the fact that they *did concur*, both in his case and Coke's. And, 2d, The additional fact, that in the instance of all their coadjutors or successors, it was determined that the *designation* should be by the body of Traveling Ministers. From these facts, two things have been assumed as vital to Methodist Episcopacy. 1st, That the body of American Preachers were *creatively* concerned in its origination; and 2nd, That the rights and authority of the Investiture—the office, are, in every proper sense, derived from them. Both these conclusions are not only faulty, but erroneous, as we shall have occasion to see, and have been used as the premises of *other* conclusions equally untenable.

At present, however, let us briefly enquire after the rights and powers of the Episcopacy, as avowed and advocated by the Church since its first organization. A brief general glance at the subject here will be sufficient. Other necessary views of the subject will come in elsewhere. Bishop Asbury says, "there *is not*, nor indeed in my mind *can* there be, a perfect *equality* between a *constant* President, (Bishop,) and those over whom he *always presides*." Dr. Emory says, from Stillingfleet, in relation to the ceremony of Episcopal ordination, "the bare imposition of hands did not confer any power, but with that ceremony they *joined those words* whereby they *did confer authority*." Dr. Bangs says, in relation to the Episcopacy of the Methodist Church in the United States, "the British Methodists have no visible head, but we have." Dr. Emory, in showing Bishops to be superior to Presbyters, speaks of a Bishop as the "constituted organ" of the Church, for the purposes of *ordination* and *jurisdiction*. Dr. Bangs remarks, "as to the *government*, the *title* sufficiently ascertains its *distinctive* character, it being in fact and name *Episcopal*." And again, speaking of a Bishop of the Methodist Episcopal Church, he maintains he is "a superior minister, possessing a *delegated* jurisdiction, chiefly of an executive character." So, also, Dr. Emory, "the forms of ordination prepared for us by Mr. Wesley, for setting apart our Superintendents and Elders, were merely an abridgement of the forms of the Church of England, for setting apart Bishops and Priests, *clearly intending* the *same ecclesiastical officers in each case*." Dr. Bangs says, further, of our Bishops, that they are the "Chief Ministers" of the Church. Also, that "at the organization of the Church, in 1784, the power of appointing the Preachers was *invested* in the Bishops." He also says, "we approximate nearer, in respect to the *power of ordination*, to the Presbyterians, while, as it respects the *power of jurisdiction*, we form nearly a *parallel line* with the Protestant Episcopalians." He adds, of Bishops, "this *order* of Ministers is recognized in our Church; to them is committed the *chief* government of the Church; they are consecrated *especially* for this service." The Conference of 1784 resolved, "we will form ourselves into an Episcopal Church, under the *direction* of Superintendents, &c." Dr. Emory affirms, "Mr. Wesley established an Episcopal order of Ministers, and recommended to us a solemn form for the *setting apart and ordaining* such an order; a form for the ordaining of Superintendents among us, in the same manner that Bishops are ordained in the Church of England, with the same solemnities, and for *the same purposes*—to *preside over* the flock of Christ, *including the Presbyters*." He adds, "is not an Episcopal *order* of Ministers an Episcopacy, *in fact*?" Also, "if, by Superintendents, Mr. Wesley did not mean *that order* of Ministers, denominated by the Church of England, and the Protestant Episcopal Church, *Bishops*, neither, by Elders, did he mean that order of Ministers denominated by those Churches, Priests." The Doctor continues, "Dr. Coke was set apart by Mr. Wesley to *superintend and preside over the whole body of Methodist Preachers* on this continent, and to exercise *all the powers usually considered Episcopal*."

And further, he speaks of the "*delegated* jurisdiction of our Bishops." He says, "our Bishops are an order of Ministers distinct from, and *superior* to, other Presbyters, in *that extent of jurisdiction*, and in those *executive powers* delegated to them." Bishop McKendree says, "a Bishop having *the general oversight* of the temporal and spiritual concerns of *the Church*, is, of course, authorized to attend to any and all matters, small and great, in the execution of Discipline." The authorities and evidence thus cited, may be regarded as general in language, and miscellaneous in bearing. This, to some extent, is true, but at the same time, when we come to apply the language, in each instance, and by analysis seek its meaning, we meet with nothing vague or inexplicit, but the whole, strikingly consistent in all its parts, is found drifting in the same direction, and conveying the definite idea of a pervading principle of action—a substantive power of control, in the government of the Methodist Episcopal Church. This guiding principle, this directing agency, may not be, in itself, or in relation to other things, what many would have it; it may be too strong for some, too weak for others; fault may be found, and difficulties urged; objections may be interposed, and consequences dreaded; Scylla may be started back from on the one hand, and Charybdis on the other; but all this has nothing to do with the question engrossing us, which is simply to ascertain, if possible, what is the doctrine, what the avowed opinions of the Methodist Episcopal Church on this subject? And, in an enquiry of this kind, appeal must be had to the constitution and laws of the Church, to precedent and usage, the acts of administration, the nature and fitness of things, as well as the judgment and views of the best accredited expounders of the polity and discipline of the Church. Neither party can settle the question by proclamation, or an "order in council;" the law and the testimony must become the rule of judgment. We do not obtrude our own opinions. We prove our positions by the founders, fathers and guardians of the Church. Speaking for themselves, they tell another guise tale than that of the Protest about Methodist Episcopacy. An Episcopacy of which Wesley is the "fountain," which he "instituted" and "enacted," derived from him in "regular order and succession;" an Episcopal "ordination proper, not a mere appointment to office;" Episcopal Church, "organized under the *direction* of Wesley;" joint Bishops "appointed" by Wesley; "Episcopal ordination received from Wesley." The American Preachers "*received*" their Bishops, as "appointed" by Wesley; "fully satisfied of the validity of their Episcopal ordination." Wesley "the acknowledged Bishop of the connexion." Church government and officers "provided" by Wesley; *no chance* of an Episcopacy "except from Wesley." He "called to this Episcopal work;" this a "genuine Episcopacy;" "descended" from Wesley; result of a "distinct ordination" by Wesley; conferring powers not to be claimed by "simple Presbyters; Episcopacy of "Wesley's own creation;" a "child" of his; Wesley giving Coke and Asbury "jurisdiction over the *whole Church* in America;" "investing in them Episcopal powers;" "establishing an Episcopal order;" "Bishops in fact;" Wesley "claiming and exercising Episcopal authority;" from Wesley "emanated" Episcopacy; ecclesiastical "orders received from Wesley;" Wesley "the Founder of Methodist Episcopacy;" "head of the connexion;" gave *law* and *direction* to the whole body;" "consecrated a Bishop:" Episcopal "commission" received from Wesley. Now, if all, or but a small part of this be true, how is Episcopacy an emanation from the General Conference? In what sense is the General Conference its source? With what show of truth or fairness was the claim set up, for the first time, at the last meeting of that body? But again, a Bishop "*superior*" to those over whom he "presides;" "authority" conferred by "ordination;" Bishop the "head" of the Church; the "constituted organ" of the Church; Episcopacy giving "distinctive character" to the government of

the Church; a "superior Minister;" having "delegated jurisdiction." The same "ecclesiastical officer" as Bishop in the English Establishment; "chief Minister;" "power invested" in the Bishop; "power of ordination and jurisdiction;" having the "chief government;" "to preside over the whole body" of Ministers; with "all the powers *usually considered Episcopal*; "distinct from, and superior to Presbyters; both as to "ordination and jurisdiction;" having the "general oversight." It is not more certainly the doctrine of the Methodist Church, that Episcopacy was exclusively derived from Wesley, than that it is a *constitutional substantive power*, and not merely *ministerial* agency in the structure and government of the Church. The language we have quoted can be misunderstood by no one. Methodist Episcopacy, as an *institute*, both in view of its *origination* and *perpetuity*, is derived from Wesley, and Wesley alone, according to all the chosen witnesses of the Church. To *concur* with Wesley, as *petitioners* for the boon, and "*receive*" at his hand, was all the American Preachers or Societies had to do with the matter.

Dr. Emory, in giving *the model* of Methodist Episcopacy, from Stillingfleet, gives the following quotations, and adopts them as principles of Methodist polity: "The Church *delegates* to the Episcopacy a more peculiar exercise of the *power of jurisdiction*." "The jurisdiction of Presbyters was *restrained* by *mutual consent*." "It belongs to those who are *appointed*" (Bishops.) "By this we may understand how lawful the exercise of an *Episcopal* power may be in the Church of God, supposing an equality in all Church officers as to the power of *order*." "The Church may, in a peculiar manner, single out some of its officers for the due administration of Episcopal power." "By the great harmony of both, carrying on the affairs of the Church." "The management of ordination and Church power, by the *Presidency* of the Bishop, and the *concurrence* of the Presbytery." "A twofold power belonging to Church officers, a power of *order* and a power of *jurisdiction*." Stillingfleet insists that the power of ordination and jurisdiction inherent in Presbyters, is, upon its delegation to the Episcopacy "*restrained (in the Presbyters) by ecclesiastical laws*." In relation to these and numerous other positions to the same effect, Dr. Emory remarks, emphatically, "so say we." Bishop Asbury says, "if our *title* had not been Methodist *Episcopal* Church, and if the English translation had not rendered *Episcopoi* Bishops, well contented am I to be called Superintendent, not Bishop. They say we (Bishops and Elders) are the same *order;* then why not the same names in Greek and English? Why not Deacons and Bishops of the same order?" The Discipline of 1789, enquires, "what is the proper origin of *Episcopal authority* in our Church?" In the answer, election by the Conference is not recognized as in any way creative of Episcopacy, or as being its source. Bishop Hamline affirms, of Bishop Roberts, "through his peers the Holy Ghost made him *overseer*. That office, (Episcopal,) he executed by the *highest warrant* on earth. He shed lustre on his own *ordained circle*." He adds, "Episcopal prerogatives *prescribed* by the *law* of the Church." The ordination service in *making* and consecrating a Bishop, assumes that the person ordained is called of God to the *special* ministry of a Bishop, *as distinguished* from Elder and Deacon, for each of which orders we have a separate ordination. Dr. Elliott says, "no change which obstructs them in the discharge of their duty, can be effected *constitutionally* by the General Conference. Dr. Emory argues at length, and conclusively, that a resort to the solemnities of *ordination*, in the case of *mere appointment to labor*, is a novelty unknown to Methodism, and treats the supposition as absurd and ridiculous. In these quotations, the Church *delegates* power to the Bishop; this power *no longer* belongs to the Presbyters; the Church *singles out* men for the exercise of Episcopal power; the Bishop *presides*, the Presby-

ters *concur;* the latter are *restricted* by law—by *mutual* consent *in* the act of *delegating* power; difference of *order* in the sense before noticed, is argued from difference of title; authority and right are not derived from *election* in any conclusive sense. The Bishop is chosen overseer by the Holy Ghost, is accredited by the *highest* warrant of earth; his prerogatives settled by *prescription* of law; his circle is *his own*—an exclusive sphere; his ministry is special, by God's appointment; the General Confereace even, is without power or right, (unless usurped,) to *obstruct* him in the discharge of duty; ordination is a sacred consecration to *office*, not a mere appointment to labor, as most absurdly contended by the late General Conference. Can a *tithe* of all this claim be found in the Protest? Does that instrument go half as far as these guides of the Church? And beside, the Protest merely designed asserting the general doctrine of the Church on the subject, and showing that it had been departed from, and was misrepresented by the Majority. The object of the Protest was, to show that the General Conference claimed what, by constitutional right, belonged to the Episcopacy; and, moreover, attempted to assert the claim by unlawful means. The Conference, for example, assumed the right within themselves, to make and constitute Bishops; they assumed the power of removal because permitted by the Annual Conferences to select the incumbent; they claimed that the powers invested in the Episcopacy before the General Conference existed, were nevertheless, found only in themselves; that they could rightfully perform all the functions of Episcopacy—that they could make a Bishop to day and unmake him to-morrow, without any infringement of right, the preposterous absurdity was avowed that they could of right, having all power, do any thing they saw proper, not only without law but in violation of it, excepting only the half dozen items prohibited in the Restrictive Rules. It is not meant to say that all these positions were formally avowed by the Conference as such, but each was assumed in behalf of the Conference, as may be seen by reference to the Debates, the Manifesto, and the Northern advocates of subsequent date, and so far as we know, none of them have been disavowed by any considerable portion of the Northern Church. Each has the ineffaceable endorsement of Bishop Hamline, and has received the equally ineffaceable endorsement of the Majority in his election. In a word, we have the type of a *New Episcopacy*. We have the effect of additional legislation without its forms, changing the relations and rights, if not entirely subverting the old Wesleyan Episcopacy of the Church. Which is the better theory—which should be preferred by the Church is a question not in dispute. The charge preferred against the Majority is, that they have innovated upon the existing system, and have done so by means unlawful and dangerous, because revolutionary in their tendency.

Dr. Bangs says, "three forms of *consecration*, all separate and distinct." Among the grounds of Episcopal claim in his own instance, Bishop Asbury ranks "divine authority," "seniority in America," "ordination," by Coke and others, and the "signs of an Apostle," (meaning the manifest approval of Heaven and the Church) showing that although he certainly attached value to his election (by being "received" as the *appointee* of Wesley,) yet he did not rely upon it as in itself accrediting his Episcopal claims. Coke and Asbury inform us that the Episcopacy instituted by Wesley in the consecration of Coke, and the "commission" he gave him to consecrate Asbury as Bishop, was *acknowledged* and *received* by the Conference of 1784, as "the chief Synod of the Church." They well knew this Conference of Lay Preachers could do nothing more than acknowledge and receive. The Methodist Episcopal Church declares her Bishops to be "called of God, according to his word, to *the work and office of a Bishop*," and unless God and his word be mocked, all conventional "regulations" will be con-

formed to this great primary fact, assumed by the Church. The "directions" of Wesley, forming the only warrant of the American societies to become a separate organization, recognized no right of election by the preachers, in view of the Episcopal office. They had avowed and published their want of right, their utter incompetency to organize a Church without Wesley—of course they could not elect Bishops. The *full validity* of our Episcopacy, *as exclusively derived from Wesley*, must be admitted, or *we have none*. There is no *Presbytery* in the Methodist Episcopal Church, except as created by its *Episcopacy*, and the supposition that Episcopacy was *accredited* by what itself had produced, is, to say the least of it, not the theory of Methodical Episcopacy, as set forth by all the defenders of the Church, and especially in the authorities to which we appeal in the brief argument we are now sketching. Is there any thing in the Protest elevating the Episcopacy to half the height indicated by the positions just cited? And how do they contrast with the newly adopted creed of the Majority, which throws around a Bishop such an ambiguity of right claim and relation, "now high, now low," that instead of his taking his place in the government as an officer of the constitution, with well defined rights and corresponding duties and claims, subject only to the control of law, he is but the quadrennial agent of a General Conference Majority, and is liable to removal or degradation, whenever they deem it expedient to exercise the power they assume? The advocates of the new theory will of course allege that the Presbyters of the Methodist Episcopal Church, have at any rate, regular Presbyterial ordination, and that *since* they obtained it, it has been competent for them to create an Episcopacy upon the Stillingfleet model. This, however, will involve several difficulties.

1st. Methodist Episcopacy did not so originate, had no such origin—the truth of history can never give it such a character; nor has an Episcopacy of this kind ever been instituted by them. Our Episcopacy, and the plan of its perpetuation, both pre-date the existence of Presbyters. The right and power of ordination, as they existed in Wesley, were transferred to our Bishops, and *constitutionally invested in them*, before a Presbyter existed in the Church. The constitution of the Church at the time of its organization, and ever since, deprives the Presbyters of the power of ordination while there is a Bishop in the Church.

2d. The *order of succession* precludes the supposition, that for the reason assigned, the Episcopacy of the Church is in the hands of the Presbytery. The organic laws of the Church in the very *provision* which gave being to Presbyters, as such, *restricted* all the rights of ordination to the Episcopacy, and declare that this *investiture* can only become void by the *extinction* of the *original order* of Bishops. The right of the Presbyters to select the incumbent does not affect the argument. The Presbyters may select a thousand *to be made* Bishops, but in themselves can *never make one*, while a solitary incumbent of the office survives in the Church.

3d. Should the only alternative contingency which can possibly give the right of Episcopal ordination to the Presbyters ever take place, the right does not belong to them one moment after its exercise in the consecration of a Bishop. They can in no event, by the constitution, ordain an Elder or Deacon, or more than one Bishop at a time. The moment their consecration of a Bishop is complete, the right of ordination ceases to exist in the Presbyters. This may not be as it should be, if any will have it so, but we have only to do with things as they are, as we find them in the constitution and the laws.

4th. From the preceding data, it is clear, that until the existing theory of Methodist Church polity is utterly subverted, it can never become the right of the Presbyters of

the Church to change the character of our present Episcopacy or institute one of a different kind.

But let us see further how others have thought and reasoned on the general subject:

Dr. Coke, speaking of the organization of the Church in 1784, under the direction of himself and Asbury, *as Bishops*, by appointment of Wesley, says, "Mr. Wesley has *determined the point*." The Discipline informs us that Wesley "commissioned and directed" Dr. Coke to set apart Mr. Asbury as Bishop.

Dr. Bangs says, "the Traveling Ministry, consisting of licensed Preachers, Deacons, Elders, Bishops. The duties of each are prescribed and *constitutional restraints* limit the power of each officer in the execution of his trust. Regular tribunals are constituted, rules of judgment are laid down, and the whole process by which the supposed delinquent is to be tried, acquitted, or condemned, is clearly defined and prescribed." The Bishops in their address, 1844, discussing the constitutional limits of their office, say, "the office of a Bishop is almost *exclusively executive*." Dr. Emory insists that to do justice to the character of Methodist Episcopacy, it is essential, while we claim for it no elevation above the *primary* rights of the Presbytery or body of Elders, as it regards the original *power of ordination*, superiority must be claimed on the ground of special investment, in relation both to the *power* of ordination and *of jurisdiction*, and that this power can only be *invested* by Episcopal consecration, as constitutionally provided for. Bishop Asbury, in attempting to show how the Episcopal character of Timothy types the true Episcopacy of the Church in modern times, distinguishes his *Episcopal* ordination by St. Paul, from his *Presbyterial* ordination by "laying on of the hands of Presbytery," and transferring his reasoning to Methodist Episcopacy, it is plainly his purpose to show, that special consecration is essential to the office, and that election is nothing more than a mere expression of choice and endorsement of personal fitness. That Bishops Emory and Waugh took the same view of the subject at the date of Bishop Soule's election, is plain from the language they held with regard to him; they say, "just elected to the Episcopal office, not yet *ordained* or even an *existing* Bishop in fact." In their judgment ordination was essentially *constituent* of the office. And in this way, in seemingly unrelated but nevertheless essentially connected parts and parcels, the evidence increases upon us at every step in the examination, that Episcopacy in the organic economy of the Methodist Episcopal Church, is a *constitutional principle* of government and law, and is only subject to the control of the General Conference by *regulation of law*, as will further be seen in the progress of the argument.

Morrell says, "Mr. Wesley framed the constitution of our Church." "Dr. Coke had the orders of Mr. Wesley to ordain Superintendents." "Dr. Coke did actually ordain three orders." Dr. Phœbus says, "our government grew up under the appointment of a Superintendent by consent of preachers and people. As such our Episcopacy is constitutional. It cannot be altered but by the *general consent* of preachers and people. It must be done by the common consent of all parties concerned." Sandford distinctly recognizes the "constitution" of the Church, as recommended by Wesley and adopted by the Conference of 1784. Morrell says, "it was written in our *constitution*." He tells us Wesley's name was left off the American Minutes, as the head of the American connection, to prevent him from exercising "unconstitutional power" in the recall or removal of Bishop Asbury. Title page of Discipline in 1786 says, "forming the *constitution* of said Church." The preface to the fifth edition of the Discipline styles that Discipline the "*constitution* of our Church." Dr. Bangs speaks of the "organization," that is, constitution of the Church, as requiring duties and conferring privileges peculiar to each order and office of the ministry, and affirms "so long as these duties are

performed with fidelity, the annexed privileges are freely and amply secured." In the address of the General Conference of 1824, it is avowed "the General Rules and the Articles of Religion form, to every member of our Church *distinctively*, a constitution." In 1789, the Discipline claims to be the "constitution of the Church." R. Emory remarks, "in 1808 an important *change* was made in the constitution of the Church by the establishment of a *delegated* General Conference." Dr. Bangs says the object had in view by the Annual Conferences before the meeting of the General Conference in 1808, was "to provide for a future delegated General Conference, whose powers should be defined and limited by *constitutional* restrictions." These and similar testimonies go to show a *constitutional* investment and *distribution* of rights and powers among the several *departments* and various *offices* of the Church, including especially the Episcopacy and General Conference. They also show that the position of Bishop Hamline and others, assuming the *Restrictive Articles* to be *the constitution* of the Church, is utterly unworthy of credit. The very structure of the government, and the whole history of its administration, not less than the constantly avowed opinions of the Church since its organization in 1784, demonstrate most conclusively, that the position is without any foundation in either the history or philosophy, the facts or reasons of Methodist Church polity.

We have seen that the governing power in the Methodist Episcopal Church belongs to the Traveling Ministry, and that the question at issue in this controversy is, how and in what proportion this power is distributed among its different departments, councils, and tribunals, as coming into existence and use, and being created and established at different times. Our Church organization obviously presents several departments, more or less mixed in character as it regards their functions, but still sufficiently distinct and independant of each other for the practical purposes of government. 1st. The Episcopacy or General Superintendency. 2d. Annual Conferences. 3d. General Conferences. 4th. The General Pastorate or Traveling Ministry in their appointed charges of labor and administration.

We notice the first three in the order of their introduction as elementary principles, giving form and character to the government. All are to be regarded as great constitutional arrangements. Among these we must of necessity find distributed, the Legislative, the Judicial, and Executive powers of the government, and the question arises, what is the distribution? Or is it true, as has been assumed, that there is no actual distribution, nor yet any *law* of distribution, and that all the functions of government are commingled and meshed up together, to be exercised at discretion by the several departments and organic bodies having general control. That the distribution has not been a careful and well settled one may be true, but the assumption that there has been no distribution at all, affecting the different classes of power, except in a few instances connected with each, must, we think, be rejected by the good sense of the Church. Many of the authorities already cited, throw material light upon this subject, and show that a very different view of the subject has obtained among the most distinguised men of the Church in every period of its history. In answer to the question, "who shall compose the General Conference?" the Discipline says expressly, "one of the General Superintendents shall preside in the General Conference." Again, this Presidency or Headship is a part of the "Plan of General Superintendency," the first duty of the Bishop is "to preside in our Conferences," Annual and General. Their constitutional oversight extends to all the "temporal and spiritual business of the Church," and of course and especially to the General Conference, as that body does a large share of the business of the Church. *Watters*, the first American Methodist Preacher, says, "the

Bishops business is to preside in our Conferences, (Annual and General) and in case of an equal division on a question, he has the casting vote." Sandford says, "the General Conference is composed of Bishops who are its Presidents, &c." Dr. Elliott says, "to preside in our Conferences, comprehends the Presidency of the General Conference." Dr. Coke says to the General Conference in 1808, that he will reside in America permanently, in his character of Bishop if the Conference, will "agree that I shall have a full right to give my judgment in every thing in the General and Annual Conferences on the *making of laws*, the stationing of the Preachers, sending out Missionaries, and *every thing else*, *which as a Bishop*, belongs to *my office*. I want no new condition ; I only want it to be perfectly ascertained, that I shall be authorized by you to *fulfil my office*, without which, our *reciprocal* engagements are a perfect *nullity*." Dr. Bangs speaks of "powers *ceded to the Episcopacy*." Bishop McKendree says, "by virtue of a *delegated* power from the General Conference," (as the organ of the Church's authority and action,) "I hold the reigns of government." Dr. Bangs says of Methodist Episcopacy, "this superintendency is provided for in the *organization* of the Methodist Episcopal Church.', In their Address, in 1840, the Bishops speak of the "*constitutional powers* of the General Superintendants, of *their general executive* administration, and *their official department* in the Church." Dr. Emory endorses the opinion of Stillingfleet, that the form of Church government which approaches nearest the primitive, is the "Presidency of Bishops for life." At the General Conference of 1804, Dr. Bangs informs us, Coke, Asbury, and Whatcoat, acted as "Presidents of the General Conference." Mr. Morrell assures us, that the Conference of 1787 decided that even "Mr. Wesley had no authority to remove Mr. Asbury," after he had been constituted Bishop of the Methodist Episcopal Church in the United States. Dr. Emory says of Bishop George, "he regarded the duties of his place and office as specified in the Discipline, in the light of a *contract*, by which he had solemnly engaged to be bound." In 1805, Bishop Asbury gives notice to the "world" that he considered his *election* by the Conference of Lay Preachers in 1784, as but *one of several sources* whence he derived his Episcopal authority. Coke and Asbury say, "Episcopacy took its rise in Wesley." They rank it among the functions of Episcopacy, "to meliorate the *severity* of Discipline, to relieve the people under every *oppression*. In them (the Bishops) the people have a *refuge*—to them they may *appeal*, and before them lay all their *complaints and grievances*." The Discipline of 1789 asks, "how is a Bishop to be constituted in *future?*" Election a *new* method of selecting the incumbent. It may strike the reader that there is in these citations no principle of coherence affording any reason why they should appear in the same connection. It must be recollected, however, that it is the simple object of these strictures to show that the Protest did not assume, in behalf of the Episcopacy, any thing beyond its allowed claims, currently conceded in the doctrines and history of the Church. Any proofs, therefore, going to show what these claims have been for sixty years, must be directly pertinent as well as important. The testimonies just quoted, prove that Bishops of the Methodist Episcopal Church are, by *constitutional right*, Presidents of the Annual and General Conferences, and of course are members and integral parts of them, when *in session*, beside having the executive oversight of *all the members of both*, in the intervals of their meeting. The Discipline includes them with others, in "composing" the Body. Presidency and oversight are scarcely compatible with the idea of their being the mere *chairmen* of Conference meetings. The right of discussion, of expressing their opinions on all subjects, of recommendation and remonstrance, seems to be a necessary inference. It is claimed by Dr. Coke as belonging to *the office*. The reins of government

are held by *delegated* power, that is, power parted with and given *in trust* for specified purposes. Bishops have *constitutional* powers; the *general executive* administration is theirs; their *official* relations, rights, and duties, constitute a regular *department*; their Presidency is *for life*, unless forfeited by misconduct; the appointing power cannot remove, except for reasons destroying the objects of the appointment; the official relations of a Bishop imply a *contract* between himself and the Church. Election had nothing to do with the *institution* of the office, and is but an *auxiliary* method of perpetuating it; the office arose in Wesley, and comes in as a *regulating power* between the ministry and people. We attempt no defence of the various forms of expression used, or claims put forth in the passages quoted. What we may approve or disapprove weighs nothing in the controversy. Our business is to show the true doctrine of the Church on the subject.

Among other items regarded by the South as signs of the times with the Northern Majority, may be noticed the manifest indifference and irreverence with which the solemnities of the *Episcopal ordination service* have been treated. It has doubtless been seen and felt that truth and falsehood resemble as little as the new theory of Episcopacy and the ceremony in question. And if the former be true, the latter is certainly a chapter of rare foolishness, and ought to be expunged, as Bishop Hamline cautiously suggests it *might* be, without detriment to Methodism, as we use no such ceremony in the appointment of Book Agents, Editors, Class Leaders, &c., all of course (the assumption is) sustaining, *as agents*, the same relation to the Church! But let us look into this matter a little. The ordination service styled the "*form* and *manner* of *making* and ordaining a Bishop," assumes that the person so ordained is called by the Holy Ghost to the *special* ministry of a Bishop as *distinguished* from both Presbyter and Deacon, for each of which orders we have a *separate* ordination service in no way *inclusive* of the first office or Episcopal consecration. It is assumed that he is called to be a Bishop, to a ministration distinguished from *all others* according to the will of Christ. It is assumed that being *divinely called*, he is *by the act of ordination*, admitted to *government* in the Church of Christ. He is said to be thus admitted to a *peculiar administration*. The people, the Church of God, "including the Presbyters," Dr. Emory adds, are said to be *committed* to his charge by the same act, and so of many other assumptions to the same effect. Can the man who regards a Bishop as the mere agent or officer of the General Conference, liable at any time to removal or deposition, at the will of the Majority, without impeachment or trial, or even cause assigned, be prepared for honest subscription or submission to a ceremony of consecration, every clause of which is in irreconcilable conflict with his avowed opinions as to the *real character* of the Episcopal office? How will this matter be regarded by the well informed and pious masses of the Church, even in the North? Will they not agree with Bishop Emory, that it is "mockery, a trifling with sacred things." Take the action of the General Conference in electing, and that of the proper officers in ordaining a Bishop. *They call* him to the work and office of a Bishop *in the name of God, and as His representatives*. They declare him called of Christ and gifted with the graces of his spirit "evermore" to perform the duties and "fulfil *the course*" of a christian Bishop. They recognize his official elevation as God's own appointment, and during life. The consecration is the name of the Trinity, sanctioned and accredited by the solemnities of the sacrament. Now if all this mean that a Bishop may be used to-day and laid aside to-morrow, without proof (which due form of trial can alone safely test) that the consecrated person chosen of God for the purpose, has disqualified himself for the trust reposed in him, by a forfeiture of the divine approval; we repeat, if the ceremony

mean nothing inconsistent with such a view of the subject, then is our ordination service not only unmeaning, but so fraught with the fearful significance of being an *ungodly mockery*, that the sooner it is laid aside the better. I need not remind the readers of the Northern papers, that there are already indications by no means obscure, that the *inconsistency* between the new Episcopal theory and the ordination service, will require their early attention, unless it is found expedient to adjourn the movement to a "more convenient season" for reform. The innovation under notice, must prove extensively mischievous in its bearings. It subverts the foundation and destroys the tenure of the ministerial office in the Methodist Episcopal Church entirely. If ordination in the instance of a Bishop, mean mere appointment to labour, and may be fairly typed by the appointment of a Class Leader or Editor, similar views will doubtless obtain with regard to the ordination of Elder and Deacon, as there is nothing more solemn or sanctioning in the latter than the former, and the result will be, the high and holy function of the Ministry, severed from the fastenings of its immemorial sanctity, will be sacred only to the purposes of ecclesiastical sway and party domination. The position we are now opposing, strikes us as the more strange and surprising, because we have no accredited instance in the whole history of the Church, of ministerial ordination, except *for life*, upon condition of good behaviour. The rights and privileges conferred by ordination, as Bishop Emory properly suggests, are matter of "contract" between the parties, and while either party does not offend the laws of the Church, the rights and privileges reciprocally involved, are perpetual. On this ground alone, the action of the late General Conference, in the case of Bishop Andrew, must be viewed as an outrage upon his legal and personal rights. It was, moreover, a violation of the pledge of the Church, given in his ordination credentials, in which the protection and support of the Church are solemnly guarantied, "so long as his spirit, practice, and doctrine, are such as become the gospel of Jesus Christ, and he shall submit to and maintain the Discipline and order of the Methodist Episcopal Church in America." It is well known the Majority did not even allege offence, either against the laws of Christ or of the Church, and yet in gross violation of this official pledge, they withdrew the protection and support the Church had promised. Such conduct shows that God in his word is not allowed to be the judge of sin, of right and wrong, nor yet the Church in her laws, but that the caprice and resentments of party opinion and feeling, are to become the rule of action and standard of ministerial and personal worth.

The several Annual Conferences up to 1792, were always considered as separate and independent bodies, and it was not likely, says Dr. Bangs, "that so many independent bodies could be brought to harmonize in all things. The several Annual Conferences were considered only as so many parts of the whole body, nothing was considered binding upon all, unless it were approved by each and every of these separate Conferences." Bishop Asbury styles the General Conference a "grand *federal and responsive body*." The federal relations and reciprocity of right assumed by Bishop Asbury, were merely modified, not destroyed by the change, or rather addition to the constitution, giving birth to the delegated General Conference. It is still a federal responsive body, as represented in the Protest, and this very fact gives the reason of the limitation of its powers. "The General Conference consists of an equal representation from the several Annual Conferences," says Dr. Bangs. In what proportion, then, do we seek the constitutional inherence of power in each? This will of course depend upon the fact of *distribution*, already adverted to. In the General Conference certainly so far as the constitution clothes them with power. To this extent it is always competent for that

body to act without control, and in forms absolutely conclusive. The constitution, however, is the only *commission* under which any of the departments can rightfully act. And what we wish to achieve, believing it to be the truth, is to show that the constitution intended something like an *equal distribution* of the powers of government among its different departments. When once, some score of years since, acting upon our then understanding of things, we honestly believed the Episcopacy was likely to disturb this balance of power, by claiming for itself more than its constitutional share, we opposed the supposed usurpation, as now we oppose that of the General Conference. We should do the same thing with regard to the Annual Conferences or general Pastorate, were they so to act as to produce a similar conviction. The doctrine for which we contend, is simply something like a *substantial co-ordination* of powers among the different departments of the government. This result secured, we ask for nothing more. And if to secure it the *reduction* of Episcopal power shall be found necessary, we shall promptly favor the reduction.

The doctrine of Bishop Hamline, which seems to be extensively endorsed in the North, affirming General Conference *prerogative* to be a just law of action, without defining or publishing the mode of action, we reject and resist in all its forms, as at once dangerous and inadmissible in any government. One of its necessary consequences, is *expost facto* legislation, without even the usual disguise of legislative and judicial construction. Take for instance, the right claimed in behalf of the General Conference to appoint the Preachers to their pastoral charges. This right never did belong to the General Conference, nor can it while the present constitution of the Church exists. If the whole Book of Discipline be regarded as the constitution, in general terms, the right is denied to the General Conference; and if, with Bishop Hamline, we receive the restrictive articles as the constitution, they expressly prohibit the General Conference from any such attempt, as this right of appointment forms the most important part of the plan of General Superintendency, which they are not allowed to destroy. But the logic is, the General Conference elect the Bishops, and may therefore perform all the duties of Bishops, if they prefer it. Extend the rule a little and see how it will work. The Annual Conferences elect the General Conference, and therefore, if they prefer, may not only perform all its constitutional duties, but by the same rule, get at those of the Episcopacy also. This single dogma carried into practice, would immediately subvert the whole government of the Church. Witness its effect in the action of the late General Conference, in Bishop Andrews' case, and the consequences with which it has been attended.

The government of the Methodist Episcopal Church is certainly somewhat irregular and anomalous in form; still it has essentially its co-ordinate departments, especially the Episcopacy, Annual Conferences and the General Conference, by no means excluding the ministry in pastoral charge, apart from their Conference relations. It is an impossible theory to suppose a government without legislative, judicial, and executive powers, and irregularly as these are distributed, they are found in the above departments. The General Conference has limited legislative power. It has also a substantive portion of judicial power, having original jurisdiction in the case of Bishops, and appellate in the instance of members of Annual Conferences. The Annual Conferences have a large share of judicial power, retaining in their hands an important portion of the legislative, and meanwhile exercising to a considerable extent, executive functions. The Episcopacy is emphatically the *Executive Department* of the Church, or rather of the government, with scarcely a tithe of power from the other classes. Some of the functions of the General Conference appear more or less executive in character, but in no

sense does the General Conference possess any considerable portion of executive power. It will be perceived at once, by the good sense of the reader, that from the mixed character of the distribution of power in the government of the Methodist Episcopal Church, it becomes the more necessary to guard against the encroachment of one department upon another. Such encroachment as shown at large in this Review, has given birth to our present difficulties, and the controversy in which the Church is now so unhappily involved. We have no wish to reduce the constitutional power of the General Conference, or increase that of the Episcopacy. We wish no function of the General Conference transferred to the Episcopacy. We would not add to the aggregate of Episcopal power a single iota, were all the powers of the government within our gift. What we except to and resist, is the hitherto unheard of claim of nearly absolute power put forth by the Majority of the General Conference in May last. The position that "the Bishop's term of service may be *limited or undetermined* at pleasure," is so utterly unsupported by evidence of any kind, and manifestly inconsistent with all the evidence we have in the case, that its bare announcement furnishes its own disproof. The position invades the constitution at every point in which it can be viewed. It is contradicted by the whole tenor of the ordination service, without which we can have no constitutional Episcopacy. It is disavowed, in terms, by the official certificate of ordination. It is without any sanction from the Discipline. It is discredited by all usage, and possesses every attribute of a gross and daring innovation. And yet all these revolutionary doctrines and legal absurdities, received the full practical sanction of the General Conference. The principal asserter of them became their authoritative type and living impersonation, by the highest marks of approval and confidence within the gift of the Majority. The doctrine in question, therefore, is the doctrine of the Majority, and we are thus minute, with no view of calling attention to individual character, but for the sole purpose of showing that the party claiming to be *the* Methodist Episcopal Church, par excellence, is the party by whom the constitution of the Church has been notoriously disregarded, and its rights in the same proportion forfeited. The General Conference acts under the authority of but a limited commission, and the measure of its supremacy is determined by the limits the constitution imposes. Its powers are in no sense absolute, but as properly under the control of the constitution as those of any other department.

Dr. Coke was the father of the General Conference system, and in his circular in 1791, urging the propriety and necessity of his plan, he proposes the General Conference in sum, "as a *check* upon every thing," that is a great regulating principle of government, not overriding and capriciously controlling the other departments, but subjecting their action and administration to proper revision and restraint, to be regulated by law. As connected with the Presidency of the General Conference, Bishops have been in the habit of giving their opinions and advice, offering resolutions, and even voting in the instance of a tie. The practice, however, has varied at different times, and with different men. As lately as the General Conference of 1840, one Bishop offered a series of resolutions, which were adopted by the Conference, and another gave the *casting* vote on an important question, to which no exception was taken, and both these acts, stated upon the Journals, were subsequently *approved* by the Conference, without dissent. In fact the Presidents have always been recognized as constitutional members of the General Conference, until the new era of 1844. They are there and such by commission of the constitution. Bishop Asbury left the sittings of the General Conference of 1792, and after absenting himself, wrote back to the Conference, "I am happily excused from *helping to make laws* by which I myself am to be governed;" showing plain-

ly that he considered himself a member of the body, with right to assist in *making laws*. Coke was in the habit of introducing formal resolutions in the General Conference. So was Asbury. Other Bishops have done the same. Coke and Asbury say, "all the *different orders* that *compose* our Conferences;" showing that Bishops were regarded as constitutional members of the Conferences in which they preside, whether Annual or General. If Bishops are not a constitutional part of the General Conference, why do they meet and preside by requirement of law? Why is their signature necessary to the validity of the Journals and the authority of official documents? Is the Presidency of the General Conference no part of it? In every organic sense is not the President the head of the body? Can this be true without his belonging to the body? Bishops are *ex-officio*, by right of office, Presidents of the General Conference, and in that body are constitutional representatives of the Church at large. The very constitution of the General Conference includes the presence and Presidency of a Bishop. In the Bishops' address of 1840, all the various "judicatories of the Church" are recognized as "constitutional;" of course the *Presidency* of the General and Annual Conferences are among the constitutional arrangements alluded to. About a Bishop's right to speak or vote, we shall not contend. We are only anxious to show his constitutional relation as President of the body. Placed there by the constitution to *preside* as the end of the appointment, whatever means may be necessary to accomplish the end, he is constitutionally allowed to avail himself of, as an obvious *incidental* right, and beyond this it is believed no claim has ever been made. The constitution places a Bishop, having common oversight of the whole Church, in the General Conference, and at its head, as the representative of the general departments of the government, and especially the one to which he more appropriately belongs. Under the old General Conference regimen all the Traveling Preachers *in full connection* are declared to be members by right. Were the Bishops in full connection or not? If yea, then they were members. It is not meant to say the President of a General Conference is a member in the sense in which Annual Conference Delegates are, but that the constitution makes him a part of the body in virtue of his right of general *oversight*, which extends to the General Conference as well as other departments of the ecclesiastical system. But other views of the subject bear upon the main question in the same way.

Coke and Asbury declare a Bishop to be "the *chief* executor of those regulations made in the College of Presbyters," that is, the General Conference. The whole bench of Bishops in 1844, declare the Episcopal office to be *chiefly executive*, and the doctrine in fact, is coeval with the American organization. That some of the initiatory steps of executive administration are taken by the General Conference, and that in *this way* it may be said to possess executive power and perform executive acts is admitted, but that the General Conference possesses, by vested right, the general executive power of the government as lately assumed in its behalf, we explicitly deny, and regard the claim as an arrogation of power as *absurd* as it is *alarming*, and calling for resistance on the basis of the constitution. The further claim to all power, legislative, judicial, and executive, not expressly denied them in the six restrictive articles, is so replete with *usurping innovation*, that we cannot refrain from asking the Church, even at the North, to look it more fully in the face, before they commit themselves to its final approval. Acting upon the ground of this claim, the reforming Majority of the late General Conference, might have annihilated the entire itinerant system—all the Annual and Quarterly Conferences, together with all our missions, colleges, schools, benevolent associations, &c. If the Church is prepared to submit to such claims, it is time she were preparing for eventful changes, both of polity and administration. Is there any connection be-

tween the late *putting forth* of these claims, and the official declaration made to the General Conference by Bishops Soule, Hedding, Andrew, Waugh, and Morris, that in several of the Northern Conferences *little remains of the itinerant system except the name?* Is there evidence of an intention to consolidate the power of government in the General Conference, and by destroying the present *checks* and *balances* of the system, place it in the power of the Majority of that body to control the *whole machinery* of Church action? Was it necessary to elaborate these claims with chiselled exactitude—dove-tail them into each other, and reduce them to a science, in order to get at Bishop Andrew? We lay the effect before the reader and leave him to find an adequate cause.

From 1792 to 1808, the General Conference possessed the power of the whole body of ministers; now it does not; it is a Church Council with limited powers; not "everything," but as Dr. Coke says, "a *check* upon every thing." As the claim, that the General Conference creates the Bishop, proves to be a mere fiction, so the claim of right to do what they please with their own, must, as far as Bishops are concerned, go to "the moles and the bats" with it. Let the Majority have the benefit of their own reasoning in application to the General Conference. That body was created by the Episcopacy and Annual Conferences, therefore the Episcopacy and Annual Conferences can destroy it when they please! The General Conference is a constitutional provision of the government, and cannot, by right, alter or override the fundamental principles in virtue of which it governs or performs its functions. Holding power only in virtue of the constitution, and acting beyond, and independently of its provisions, they act without right, and cease at once to be the representatives of the constitution. Hence, all such acts are null and void. We have applied this universally received principle of constitutional law to the action of the late General Conference in the case of Bishop Andrew, and also in relation to a division of General Conference jurisdiction, and have shown the constitutional right of the South to resist, in the one case, and the utter want of it on the part of the North, in the other. That the Annual Conferences are regarded by the Discipline, as original contracting or confederating parties, not only in the creation of the General Conference, but in the constitutional government of the Church, is undeniable, from the language and provisions of the 6th restrictive article, distinctly recognizing the power of the Annual Conferences to change the entire government of the Church, even to the doing away of Episcopacy. To effect this, it is only necessary that the Conferences decide upon the change, and elect their delegates to the ensuing General Conference in view of it, and as these are the only organic bodies represented in the General Conference, unless the delegates prove recreant to their trust, it is accomplished. The fact that the General Conference elects Bishops, by no means furnishes *a priori* presumption, as has been contended, of the dependence of Bishops upon that body. It is a well known and common fact in the history of governments, that one branch appoints the officers of another, essentially *co-ordinate* in its character. The fact in question does not authorize even a plausible inference in favor of General Conference power. As the Methodist Episcopal Church was originally organized, that is, by its constitution, Episcopal powers never belonged to the General Conference, and if they had, the very form of the government proves they must have been parted with by an act of solemn transfer, and invested in the Bishops, and of course their resumption by the General Conference is impossible, until the constitution is either changed or destroyed. To meet this difficulty, and obviate its absurdity, the still greater absurdity is maintained, that these powers inhere in the Bishops and the Conference at the same time, and may be exercised by either, as the Conference may elect! Can it be necessary to reply to such an argument? And if so, for whose benefit? Can any one avoid perceiving,

that when, by election and ordination now, as by ordination alone, originally, Bishops become invested with Episcopal powers, the right to suspend the exercise of those powers, or withdraw them, cannot accrue to their original source, unless the Bishop shall violate the well known terms of the investment. This view of the subject has been sustained by the action of the General Conference. It is well known that the "suspended resolutions" of 1820 were *protested* against by Bishops McKendree and Soule, as unconstitutional, on the ground, solely, that it was taking from the Episcopacy, by simple *resolution* of the General Conference, right and power invested there by the constitution, and thus destroying the sacredness of vested rights, beside impairing the intended force and vigor of the Episcopacy, as the executive branch of the government. The protest was sustained by the General Conferences of 1824 and 1828, as based upon good and sufficient reasons.

The Episcopal office is a delegation of right and power, in the shape of a high moral trust, and unless the trust is abused by moral or official delinquency, the claim of the Bishop to the continued possession of the right and power invested in him, cannot be impaired except by a constitutional change of government. Whatever may be the vagaries and shifts of party expediency, by the constitution and laws of the Methodist Episcopal Church, a Bishop is not removable, or liable to legal disability of any kind, except, as upon fair trial, he is found to be punishable. All the power *vital* to the functions of Episcopacy, is constitutional, and no portion of it merely ministerial. Those who maintain that a Bishop is absolutely subject to the General Conference, must, of necessity, maintain that the Conference possesses absolute power with regard to the Episcopacy, but that this is not so, we prove in a hundred different forms. The fiction by which it is attempted to discriminate between the office and the officer, may answer for declamation, but not in argument. If all Bishops are absolutely subject to the General Conference, the Episcopal office is absolutely under its control. The office follows the officer. They necessarily co-exist. The one must be predicated of the other. The relations, rights, and duties of the officer constitute the office, and the attempted distinction utterly fails, as what is now claimed in relation to the incumbent, *destroys the office*.

Nothing essential to the Episcopacy was ever granted it by the General Conference, and therefore, by the showing of the Majority, no material power of office can be taken from Bishops, except for *causes* invalidating the *reasons* of their election and consecration. Although properly amenable to the General Conference for both moral and official conduct, they are, nevertheless, essentially independent, for living as christian ministers, and performing their duty according to law, the General Conference has no right to disturb them, any more than *they* have right to disturb the General Conference in the performance of its constitutional functions; the Annual Conferences, meanwhile, being essentially independent of both, in their appropriate sphere of action. We have seen the Episcopal office declared to be a trust from God, committed to the Bishop by the hands of the Church; and yet the Majority claim the right to annul the grant without any alledged unfaithfulness to God or the Church, which can be presumed to destroy the *reason* of the grant. The office is not a gift, but a *trust* proper, and the only responsibility of the Bishop connects with the fulfilment of the trust, and the difference of opinion, North and South, is, *we* contend the Bishop is responsible, *according to law*, they, that he is indefinitely amenable, at the discretion of a mere Majority of the General Conference. Law is the standard of judgment for which the South contends. The North, so far as they have made themselves intelligible, substitute opinion and passion. In the Protest, and everywhere else, we have rigidly maintained Episcopal responsibil-

ity to all the intents and purposes of law, and those who misrepresent us in this respect, will find our *High Churchism* in the *law*, and old as Methodism withal.

The General Conference is supreme in nothing essential to Methodism. The articles of religion and standards of belief, the general rules, the Episcopacy, its plan of superintendency, the right of trial and appeal of all ministers and members, *pre-existed*, are of constitutional force, and beyond the power of the General Conference. A limitation of its power is seen, as before, in the instance of the Episcopal office, which it did not create, and cannot fill. Dr. Fisk was a Bishop, so far as the General Conference could make him one, but still was *not* a Bishop in any allowable sense whatever. The "consent and imposition of hands of a Bishop," that is, the *Episcopal consecration of the constitution*, was necessary to make him one.

An attempt to *divest* of power and right, without alledged infringement of the terms of the primary investment, must be regarded as unjust and tyrannous in all cases where the investment is constitutional, and during good behavior, and not merely ministerial and tempory, where it results from the *form*, and not any mere *act* of the government. The power to divest has been urged with great confidence, on the ground that the Bishop is responsible to the Conference. The responsibility is admitted, but the conclusion does not follow, beyond the extent of the *judicial* rights of the Conference in the case. Coke and Asbury state, explicitly, what all know from the Discipline, that Presiding Elders are responsible to the Annual Conferences; but have the Annual Conferences the power of removal, in consequence? All know they have not. Other views of the subject, which follow, will further expose this legal fallacy, as opposed to all just views of the subject to which it is applied.

When it is avowed that the Church is, by organic structure and arrangement, "under the *direction* of Bishops, Elders, and Deacons, according to the forms of ordination," are we to suppose that it is competent for the Elders and Deacons to supercede the Bishops, by stripping them of the functions of control, and so take the entire direction upon themselves? When the General Conference of 1836 distinctly stated that Bishop Roberts was "not able to do effective service," and yet expressly recognized him as "joint Superintendent of the Methodist Episcopal Church," was it in view of *office* or *labor* that the joint superintendency accrued? When the General Conference, in 1820, released Bishop McKendree from the responsibility of performing the duties of General Superintendent, did he cease to *be such?*

The indefinite grant of power to the General Conference to expel a Bishop for "improper conduct," will require a moment's notice, as important conclusions have been deduced from an obviously false construction of the language, by those who have at least had the means of better information. Our theorists, bent upon reforming the Episcopal creed of the Church, insist that by "improper conduct," it is not meant to include actions or conduct involving moral wrong, or in any way sinful in their nature and tendency, but mere faults of character or conduct, such as imprudence, practical indiscretion, &c., not implying any offence against the laws of Christ or the Church. For such conduct merely, it is stiffly maintained a Bishop may be expelled the Church of God, or at least ejected from his office. We reject the position entirely, as not true in whole or in part; and we insist it is as untenable, in all sound reasoning, as it is untrue in the theory of the law in the case. And, 1st, The position dishonors the word of God. The idea that a Christian Bishop may be expelled the Church of Christ, or degraded from office for conduct not involving moral wrong—not in any sense or degree sinful, is in direct and shameful conflict with the plainest lessons and truths of the Bible. It is not only a gross, but an inexcusable offence against the language and ge-

nius, the whole analogy of christian doctrine and ethics, as taught in the scriptures. 2d. It is a position so *strange* and *outre*, so *alien* from all our conceptions of justice and right, that it can never have the suffrage of the good sense and sympathies, much less the high moral convictions of our common nature. The very supposition bears upon its face, evidence of unkindness and cruelty. It exiles a man merely because he is a Bishop, *without* the pale of those charities, whose extension to all is essential to christian character. It exhibits the government of the Church as altogether more exacting than the laws and governmert of God, and must in the same proportion, place its interests and reputation in jeopardy. 3d. The rule with regard to "improper conduct," was adopted in 1784, when the Church was organized, and no other existed from that period until 1792, and if the construction in question be correct, during this whole term no law of the Church authorized the expulsion of a Bishop for crime, although he might be expelled for the common, if not unavoidable errors of humanity. The first rule was evidently intended as *a general law* for *the trial* of Bishops for "improper conduct" of *any* kind, from the *lowest* grade requiring notice, to the *highest species of crime*. Hence says Lee, in 1792, "we introduced a *new* rule for the *trial* of Bishops," obviously regarding the rule of 1784 as a law for the *trial* of an accused Bishop. We consider it a well settled construction, that the phrase "improper conduct" was used in the legislation of the Church, to cover *all kinds of conduct* inconsistent with christian or ministerial character, whether applied to Bishops or others. Dr. Emory evidently understood the subject in this light. He says of Bishops. "this superiority is accorded to them only so long as they are not judged *guilty* of any *improper conduct* requiring their *degradation*," plainly assuming that the phrase denotes any immoral or other course of conduct requiring suspension from office, or expulsion from the Church. Improper conduct, in the law of trial under notice, is used to denote any kind of conduct in a Bishop, so inconsistent with the purposes of his appointment, and the obligations of his office, as to require the official notice of the Church. Dr. Bangs gives it as the sense and substance of the very law or rule in question, "if *accused*, the General Conference has power *to try*, censure, acquit, or condemn a Bishop." The power can only be exercised judicially, by due means of "accusation and trial."

The phrase, "*improper* tempers, words, or actions," found elsewhere in the Discipline, has a perfect equivalence of meaning, and yet we know its import is so grave and strong as to be followed by *expulsion* from the Church. By turning to the old Minutes, Lee's History, and contemporary records and journals, it will be found that the terms *disowned*, *dismissed*, *expelled*, and *laid aside*, are used indifferently and interchangeably to denote the same thing, *severance* from the Church. This will not be disputed, and the use of these terms will help us to an understanding of the law we are now examining. Dr. Bangs mentions the *expulsion* of several preachers in 1788, "for *improper conduct*." In 1786 Leroy Cole was *expelled* for alledged "improper conduct." (This expulsion was unjust, as the Conference admitted at its next meeting, when he was restored.) The Minutes of 1793, ask who have been *disowned* (expelled) for "improper conduct?" and we are informed James Bell was. In 1794 Simon Carlisle, David Richardson, James Johnston, and David Valleau, were all expelled for "improper conduct." A short time subsequent to the organization of the Church, Enoch Mattson, Adam Cloud, and Thomas Chew, were expelled for "improper conduct." In 1792 Lee informs us, a rule was introduced "for the *trying* of Traveling Preachers who might be accused of being guilty of 'improper conduct,'" and the definition of what is meant by "improper conduct," is "being guilty of some crime expressly forbidden in the word of God, as an unchristian practice, sufficient to exclude a person

from the kingdom of grace and glory." The legal use of the phrase has, beyond doubt, covered all the forms of moral delinquency, since its first introduction into the Discipline. The rule for trying a Bishop in the intervals of General Conference, adopted eight years after the first, was obviously intended to supplement and explain the first rule, as both defective and indefinite. Coke and Asbury explain the phrase in the same way; they say the *various means of trial* to which *all of us* are subject, which applied to Bishops, is without truth or meaning, unless our construction be correct, as but *one* mode of trial would be left them, upon the construction we oppose. They also clearly assume, that *any* charge of "improper conduct" against a Bishop, to be followed by censure or disability of any kind, can only be acted upon in due "form of trial." As the explanatory synonym of the phrase "improper conduct," they say "*tyrannical* or *immoral* conduct," as authorizing "severe censure" and a "change of men." "They are conscious the Conference would neither *degrade* nor *censure* them, unless they (Bishops) deserved it." "They are subject to be *tried*." "No Bishops on earth are subject to so strict a trial." "They are as responsible as any of the Preachers." The idea of *judicial trial*, pervades the whole comment. Finally, they speak of Bishops as liable to be "expelled the Church" (not their office merely) on the charge of "improper conduct." From all which, it must result inevitably, not only that the construction put upon the phrase by the Majority, is an utter mis-statement of the law, and perverts it entirely from its orignal meaning and intention; but that all the ingenuity and artifice expended upon the labored attempt to show that a Bishop of the Methodist Episcopal Church may be laid aside, divested of office, or even expelled the Church, for conduct not involving moral delinquency of any kind, must fall to the ground, without claim to any thing like reason or credibility. If correct in our premises and conclusions, the former of which will be found in the law and history of the Church, and the latter we think legitimate and necessary, it will be perceived at once, that the principal warrant of the Majority in the prosecution of Bishop Andrew, is utterly destroyed. They had no such right, discretion or warrant, as contended for, and proceeding against him as they did, not only invaded law and right in his case, but adopted a *principle* of action with regard to *others*, placing in manifest jeopardy, the dignity and value of the Episcopal office.

It may be proper to recur to the question of amenability. About the fact that a Bishop is amenable to the General Conference for his moral and official conduct, there is no dispute. We contend, however, that a Bishop is not amenable so as to be in the hands or power of the General Conference, affecting his office or the exercise of its functions, as specified and secured in the constitution, except for conduct coming under the *judicial* cognizance of that body, by license of law pursuant to the constitution. To this extent he is strictly amenable, and should always be held so. The amenability we oppose, is a claim of right by the General Conference, to hold a Bishop responsible to the *judgment* or *opinions* of that body without reference to law, inasmuch as it is the supreme council of the Church, and its will must *be law* at any time. In support of this theory, great reliance is placed upon a recent statement of the Bishops, to the effect, that the authority of the whole executive administration proceeds from the General Conference. If this be conceded, it does not conflict with our reasoning. Still it is quite certain the Bishops did not mean what it is attempted to make them mean. They knew that the original investment of power in the executive department, say Episcopacy, was not by the General Conference or body of Preachers; *they* had no such power to part with, but inasmuch as the constitution invested in the General Conference the right to select the incumbents of the Episcopal office, with the additional right to regu-

late the Episcopal charge, *provided* they disturbed nothing *essential* to *Episcopacy* or its *plan* of superintendency, as a pre-ordinate power and department of the government, it is entirely proper for the Bishops or any body else, to speak of the authority of the executive administration as derived from the General Conference. Limited and understood as above, it is true, and doubtless best that it should be so. We would not have it otherwise. Meanwhile, the vested right of the chief executive officers of the government, are protected by the constitution, which merely makes the General Conference the *organ of investment* without right to disturb or recall, except for improper conduct manifestly defeating the ends of the investment, and then only in virtue of the *judicial trust* committed to the Conference by the constitution. Hence in the same connection the Bishops speak of their responsibility to the Conference as a "judicatory" and "constitutional tribunal." When they speak of their "superintending agency," they must mean *under the constitution* and not the General Conference, in any conclusive sense. They knew the *legal* subjection of the General Conference to the constitution, to be the same as theirs, and therefore, that any claim of control except such as we have specified, could not be admitted by them, without the *betrayal* of a *constitutional trust*. Hence again, they speak of "all things being done in every official department of the Church, in strict conformity to the constitution and the Discipline."

That the Bishops did not mean a subjection to the General Conference, the test of which shall be the mere will of that body, apart from the constitution and laws, stands out in intelligible relief, in the same connection from which we have quoted. They say, "the primary objects of *their* official department in the Church, were to *preserve*, in the *most effectual* manner, an Itinerant ministry—to *maintian a uniformity* in the *government* and *discipline*, in *every* department." The kind of responsibility they readily admit, is that for which we contend—"responsible for the discharge of the *duties* of their *office*," is their language; "the office," they add, "you have *committed* to us." While the Bishops knew themselves responsible to the General Conference for their conduct, both as individuals and officers, they knew equally well that they were not dependent for right and prerogative, as they derived these from the constitution, independently of the General Conference. It is certainly not very complimentary to the intelligence of the electors, to suppose they would make men Bishops so grossly ignorant of the constitution as to suppose that the rights and powers of the Episcopacy depend upon the General Conference. Sandford, speaking of Episcopal responsibility to the General Conference, says, "a Bishop is responsible for his *christian*, *moral, and official* conduct." Dr. Bangs says, "he is amenable to that body for his *moral* and *official* conduct." Dr. Elliott says, "from them" (we have shown in what sense only,) "he derives his powers, and to them is accountable for the *exercise* of them. Also, "He is accountable for the proper *discharge of his duties*." Dr. Bangs assumes that "those who invest another with ecclesiastical orders, on condition that he possesses certain qualifications and continues to discharge the duties of his office, have a power and a right to divest him of it whenever *he fails to fulfil these conditions*." Bishop McKendree says, "I consider myself justly accountable, not for the system of government, but for *my administration*, ready to answer for *past conduct*." Dr. Elliott, in vindicating a Bishop against the absurd idea of any except *legal* responsibility to the General Conference, declares, "if they had no Discipline *to bear* on his case, then he could not break their laws, as they did not exist." Sandford accounts for the Bishops' amenability to the General Conference by remarking, "it possesses *judiciary* powers respecting the Bishops." Bishop McKendree, reasoning expressly upon the responsibility of "Bishops, Elders, &c." affirms, "the suspending power is clearly *restricted* to such *crimes* as are *expressly forbidden*

in the word of God." The Bishops have recently said of themselves, that "they are amenable to the General Conference not only for their moral conduct and the doctrines they teach, but also for the faithful administration of the government of the Church, according to the provisions of the Discipline." These and innumerable other declarations to the same effect, constituting the *staple opinions* of the Church on the subject of Episcopal amenability to the General Conference, show, with a conclusiveness which cannot be affected by argument or sophistry, that the new theory of the Northern school, is in all its essential parts and tendencies, subversive of the old, and directly at war with the constitution of the Church. No man can read the arguments and avowals of those to whom the new theory is justly patented, without perceiving that there exists, and always must, the most invincible repugnance between the commonly received doctrines of the Church, and the innovations it is so boldly attempted to substitute in their place. We say substituted in their place, for the two theories cannot co-exist in practice.

Coke and Asbury remark, "if ever through *improper conduct* the General Conference looses confidence, in any considerable degree, (in the Bishops,) they will *upon evidence*, &c." And again, "if ever the Episcopacy evidently betrays a spirit of tyranny or partiality, and this can be *proved before* the General Conference, &c." Showing that both of the last arguments submitted, are fully sustained by the Bishops. They understood improper conduct to mean misconduct of any kind, such as "tyranny, partiality, immoral conduct," and they further and distinctly let it be known, that the "evidence" and "proof" of *trial* "before the General Conference," is the only mode of testing the issue. We have already noticed for another purpose, unequivocal evidence that the view we take of this subject is correct. "The letters of Episcopal ordination" held by the Bishops say, "set apart, consecrated, and ordained, to the office and work of a Bishop, *so long* as his spirit, practice, and doctrine are such as become the gospel of Jesus Christ, and he shall *submit to* and *maintain* the *Discipline* and *order*" of the Church. A claim of right then to disturb, remove, or degrade, while the Bishop submits to law and order, and maintains them in administration, involves the claimants in the charge of falsehood as well as faithlessness, for in the "letters" above, they are sacredly pledged to the contrary of what they claim. But these "self imposed" restrictions, removable at will, are supposed fully to secure the General Conference against all legal embarrassment. The expedient is, so says the argument of Bishop Hamline and others, if a law be needed the General Conference can, in a moment, make it for the occasion. And the result is, the restrictions *restrict* no body—nothing. The Conference has unlimited license—there is no restriction at all except as the resolves and acts of the Conference at different times, become the antipodes of each other, and limit by *obstruction*. Let this claim be applied to the assumed legislative, judicial, and executive supremacy of the General Conference, and in theory we have as veritable a tyranny as ever existed on earth, and the only safety of the Church will be in the intelligence and virtue of the men composing the body. They may not do wrong, may not oppress, but that they have, so far as this theory of government is concerned, as good a right to do wrong as to act otherwise, no one can doubt. Dr. Bangs says, "the acts of the General Conference are *tried* by the restrictive regulations, which define and limit their powers." The Dr. certainly does not mean that they are their *own triers*, but that their acts are to be tested by these rules, and the other departments act in accordance with the conclusions at which they arrive in the case. The President presiding over the deliberations of the body, by appointment of the constitution, is there for the several purposes, as has been seen, of general oversight—as the representative of the Church at large in its

various departments and interests—to preside and moderate in the sittings of the body, and always respecting and asserting its rights, nevertheless *superintend* there as elsewhere. He is not there for the *direct* but *auxiliary* purposes of legislation and judicial procedure. Hence, in judging of the acts of the body, his position is materially different from that of the elected—the *local* and *sectional* delegates of the body, and the reasoning which would apply to them, cannot apply to the constitutional head of the assembly. He is in the body, with constitutional right, to further the objects of its appointment.

We have shown, in various ways, that the imposing pretence that the Church met in 1808, to frame a constitution, can only mean, so far as the truth of history is concerned, that it was the purpose of the Episcopacy and Annual Conferences, as the proper contracting departments and parties, not to allow the project of a Delegated General Conference to go into effect without adding to the constitution, proper restrictions and limitations, with regard to the rights and powers they would be likely to assume. It was the specific object of that Conventional Conference to prevent the preferment of any such claim in behalf of the General Conference, as that against which we are now protesting. The imposition of these restrictions was eminently *the condition* upon which a Delegated General Conference was *allowed to exist at all*, and yet this body, thus limited and restricted, claims to determine whether they will abide constitutional restraint, as imposed by others, or not rather create constitutional prerogative as they may stand in need of it. And to render this *sliding scale* of constitution and law every way facile and easy of management, it is assumed that the only restrictions upon the General Conference are "self-imposed," and may, of course, at any time be overruled by prerogative! These are the miserable inventions, such the *sans culotte radicalism*, for *protesting against which* we are denounced as reckless "divisionists," engaged in a crusade against the unity of the Church, which *they* themselves had *destroyed*, while we were praying them to withhold their hands! We appeal to facts. Let the developments of this Review, and others equally important, be calmly and carefully weighed, and we are content to abide the issue. In every aspect in which we are able to view this exhorbitant claim of General Conference power, we regard it as absurd and dangerous. There certainly must be something in the constitutional structure of the government to check and counterbalance such a state of things. And, in part, as we have shown, we believe beyond cavil, such check and resistance must be found in the Chief Executive Officers of the Church. We do not mean power to control the General Conference, except so far as to check and moderate, and keep it within the limits of the constitution. When it is obvious, for example, that an act of the General Conference is subversive of constitutional right, it is the plain and undeniable duty of the Bishops, as constitutional officers of the whole Church, to resist the wrong in a proper manner, and not give sanction and currency to a grave constitutional abuse, by transforming a legislative or judicial error into an executive general evil. In this way the subject would be brought, in due form, before all the departments of the Church, equally independent, under the constitution, and the proper correction of the evil would, in due time, be the probable result. If Bishops are allowed to have judgment and conscience in the premises, how can they act otherwise than as we suggest! When the General Conference, in the judgment of the Episcopacy, have not only failed to represent the constituent bodies electing them, but so acted as to inflict deep and permanent injury upon them, are not the Bishops, as having the general oversight of all, allowed to dissent, and in a proper and respectful manner appeal the case for remedy to other departments of the Church? It is not intended to claim that any express

grant gives full and perfect right to this effect. It is not alluded to as matter of right, except upon high moral grounds, connected with the reasons and aims of government. The power of the *suspensive veto*, at least, must be found *somewhere* in every good government, in every government, in fact, which is not a tyranny, or liable to become one at any moment. If practicable, we prefer that the power of check and balance should be found in each department, with regard to the rest—any other; but if this be not practicable, owing to the peculiar form of the government, or is wanting for any other reason, the right will, of necessity, often accrue in extreme cases, and, from the natural operation of cause and effect, to the *Executive* department, much more frequently than the others. When we say of necessity, we mean, it is often *necessary* to accomplish the objects of the constitution, and when this is the case, the right is inherent in the system, whether it exist as a formal grant or not. It is well known to have been the opinion of Bishop McKendree, that without the exercise of this power, as occasion may demand, the executive branch of the government of the Methodist Episcopal Church could not maintain its effectiveness. It will be recollected by many, that Bishop McKendree, upon a time, firmly and peremptorily refused to ordain a man elected to Elder's orders, by the New York Conference, because, as he alledged, they had infringed the constitution in his election, and, as a constitutional officer, he refused to endorse the proceeding. We have seen he acted upon the same principle in 1820, with regard to the "suspended resolutions;" and it is known, that in 1824 he had a measure brought forward, the object of which was, to give to the Episcopacy, subject to proper restrictions, the right of the negative we are noticing: not with any view to lessen the final power of the General Conference, but to protect the rights of the Episcopacy and Annual Conferences, and secure an effective well balanced administration of the government. This view of the subject is introduced merely by the way, to bring before the reader the rights and powers of Episcopacy, not on *scriptural* grounds, but as an elementary principle of the government of the Church, and vitally connected with its effective administration. Under the belief, formerly, that the claims of Episcopacy, in the Methodist Episcopal Church, both as it regarded ordination and jurisdiction, were prescriptively based upon *divine scriptural* right, we rejected the claim as destitute of any thing like fair or reasonable warrant. When led, however, to examine the subject in the light of a *conventional arrangement*, in the original organization of the Church, and subsequent adjustment of the different parts and powers of the government, the whole subject of necessity assumed a different aspect, and approval or disapproval turned upon the subject matter of two simple questions: 1st. What are the rights and powers *conventionally* secured to the Episcopacy, and by consequence *constitutional*, in the government of the Methodist Episcopal Church? And, 2d. Viewing the ecclesiastical system of the Church as a *grand missionary organization*, are *these rights and powers* necessary to secure an effective administration of the government, and the ends proposed by the system? Having satisfied myself with regard to the first, and answered the second affirmatively, I immediately adopted the general views I have since entertained, and with which I am involved in this controversy. Since the termination of my connection with the former controversy, seventeen Annual Conferences, whose administration has been approved by five successive General Conferences, (of all which I have been a member,) have extended to me official public approval, as worthy of their confidence and that of the Church. I have proofs in my possession, that during the whole period in question, I have had the friendship and confidence of the first men of the Church, East, West, North, and South, always including a decided majority, if not the entire bench of Bishops. Under these circumstances, and not to extend a notice of

myself, to which I am driven by gratuitous insult and injury, I must be permitted to say to my recent *villifiers* through the medium of the press, that if, at whatever additional expense of truth and decency, it will be any gratification to their malignity to proceed further with their abuse, humble as I am in reputation and resource, I can *afford* to let them.

If we understand the claim of General Conference power, it is that all the power of the government is in its hands. It is true the restrictions are admitted to throw some difficulty in the way, but it has been seen that the removal of the difficulty is conveniently provided for. If we do not misconceive the recent revelations on this subject, the doctrine is, that the power of *government proper* is in the General Conference, undivided *with*, unmodified and unmediatized *by* any other department of the system. It would be an easy task to show that hundreds of postulates and assumptions, and long trains of reasoning, of Northern origin, during the last ten or eleven months all tend to this, and we cannot help thinking, it is our deliberate conviction, that a claim like this, to *make*, *execute*, and *judge*, in relation to *all law*, is as preposterous a claim to *absolutism* in the *structure* of government, as any known in history. The reason is obvious; there is no mediatizing, qualifying power in any other branch of the government. Now whether the supposed binding force of the restrictive rules be admitted or not, we have seen and shall have occasion further to show, that this claim of power is subversive of the only theory of government we have, and is likely soon to result in consequences greatly injurious, if not fatal to its usual vigor of administration. I have had no communication with any of the Board of Bishops on the subject, but am perfectly satisfied from my knowledge of the men and their general views, that a majority of them are of the same opinion, and regard the government, in this respect, as in a course of revolution, which may or may not be arrested and turned aside from the primary objects had in view, by the movers and supporters of the project. It will thus be seen, important issues are involved beside the slavery question. The spirit of change and innovation is abroad. Distinct spheres of authority in the Church are in conflict. Immense masses of mind and feeling are antagonizing in different directions. The swell of the earthquake is beneath us. Under such circumstances, how, by what organ or organs is the Church to act, in remedy of the evils already upon us? What can a General Conference do? A General Conference brought on our misfortunes. Its action in regard to Andrew and Harding, as the pretext for more decisive, and as we have proved, *unconstitutional* and *lawless* movements against slavery, has destroyed the confidence of the South. The North, under the dictation of the Press, are rapidly placing themselves in direct hostility to the General Conference, on the question of *separation*. What then could a General Conference do? Precisely what the Baltimore and Illinois Conferences expect them to do, re-assert the lawfulness and necessity of the proceedings of the last General Conference, on the subject of slavery, and by new legislation attempt to *nullify its contract* with the South, as to the division of the Church. All Delegates would be elected upon strictly party grounds, and all action had in view of party purposes; I mean the great objects of the parties respectively, on the two great questions, slavery and separation. I see no power or likelihood of remedy, but the high moral certainty of increased evil by such an arrangement. The parties North and South are being so compactly formed and firmly pitted against each other, that it is entirely probable a majority of the old Delegates would be returned, and if not, men of the same sentiments and feelings beyond doubt, and it requires but little discernment to see what the result would be. I have from the first, believed that mere General Conference Agency, can avail nothing toward an adjustment of the difficulty.

At the close of the General Conference my hopes of adjustment were connected with the Annual Conferences and the Episcopacy, but the Annual Conferences are now committed North and South; Bishop *Andrew* is a *Rebel*, and Bishop *Soule* a *Tyrant* by proclamation, and the tone of my hopes in these directions is greatly lowered. Still, I am individually disposed to favor *any plan of adjustment* likely to give us a state of things preferable to the present. I will go in for testing or trying any measure of adjustment or compromise, by means of *General Conference*, *Annual Conference*, *or Episcopal interposition*, the only constitutional methods to which we can appeal, as the government precludes the Local ministry and people, beyond the right of advice and remonstrance. I will go in for any or all of these, *provided* it can be done without affecting the *ultimate obligation of the contract* now existing between the Northern and Southern Conferences, on the subject of separation, should the *attempt fail*. This is certainly *fair* and *just* in regard to both parties. Let us be assured, then, upon the basis of *reliable stipulations*, that such effort or efforts at compromise, shall not, in the event of failure, affect in any way the *validity* of the General Conference plan of separation, by operating a *forfeiture of right*, *or destruction or abatement of obligation in relation* to it, and I will favor compromise in any constitutional form in which it is at all likely to succeed. If the *union* of the Church be the object, no man can object to this. So far, however, as an attempt at adjustment is intended to *release* the North or South from the contract in question, or may tend to place *in jeopardy* the interests of that contract, I am bound in truth and honor to resist it. I repeat, however, that if assured as above, that in the event of failure, the parties North and South are to *fall back upon the rights and obligations of the contract* in question, I will wait any length of time, will perform any labor, will do or suffer to any extent, suggested by the reason or fitness of things, to place the Church where it was on the 1st of May, 1844. Meanwhile, committed as I am in company with the Southern Delegations in the late General Conference, and every member of the late Kentucky Conference, (save one) to *principles and issues*, plain and unambiguous, found in the Declaration and Protest, the Southern Address, the provisional arrangements for the Louisville Convention, and the official recorded action of the Kentucky Conference, and from which there is no honorable retreat, except upon *avowal of a change of opinion and conviction*, upon the *merits of the whole subject*, I cannot consent to any course or measure, the effect of which will be to *unbind* the North and *disfranchise* the South, in view of the obligations and rights of the plan of separation. Any thing short of this I am ready to support. I know many who approve the general course of the South are opposed to any conclusive action by the Convention, fearing it will preclude the hope of future adjustment. Such persons have our respect and sympathy. But it is worthy of grave enquiry, whether such action, to the extent of *formal organization* to go into effect *contingently*, is not the only available method of getting at compromise at all, unless the South are prepared to compromise by unconditional submission, to exparte dictation. This last conclusion and course have, beyond all doubt, been resolved upon by small portions of the Church in Kentucky, and elsewhere upon the Southern border. Whether the same indifference to the principles and interests involved in this controversy, will mark any considerable portion of the Church, remains to be seen. That it is the purpose of many to call and clamor for compromise, who merely wish the South to *forfeit their rights* under the contract of separation entered into by the parties of the last General Conference, is well known and understood, and against this intrigue and such treason, it is hoped the South will be sufficiently guarded. In a word, we would say to the North, we are ready to abide the contract between us, in the shape of a legislative enactment of the General Con-

ference, or if there be *any hope of compromise*, we will agree to *suspend the fulfilment* of its stipulations, until the trial is fairly made, and should the attempt fail, both parties must *abide the issue* of the General Conference plan of separation.

The claim of unlimited arbitrary power by the General Conference, is so offensive to the genius of our government, we know not how to dismiss it; and convinced as we are that a virtual co-ordination of powers among the departments in the general administration, is essential to the stability of the government, we must ask the attention of the reader to some additional arguments. We have shown that by the whole amount of the Episcopal power of the government, the claim in question is of necessity reduced, as that is incontestably proved to be an elementary power of the government, not only before the General Conference existed, but from the organization of the Church, and before it had a Presbyter in it. As the General Conference did not create the Episcopal office, so it never had the power to fill it. It may select a person to fill, and in case the Church has no Bishop, may select Presbyters to consecrate one, but this right and power of consecration are not derived from the General Conference, but from the power of ordination in the Presbyters, derived from their *own Episcopal* ordination. In consecrating a Bishop, they represent not the General Conference but the Episcopacy, the Bishop or order of Bishops, from whom they essentially derived the right and power they now exercise. Add to this, what is in proof in the general argument, that the constitutional (I do not say scriptural) validity of the consecration, turning in a very material sense upon the *prescribed form* of consecration, which form is a part of the constitution, exists, and is of binding obligation, independently of the General Conference. This ground, too, of General Conference claim, so exultingly relied upon, is further overthrown by the fact, that in the consecration in question, the General Conference has *no will or discretion* of its own, except in the mere matter of saying *who* is to be selected for the office. The constitution tells them that they "shall elect," and that the Elders "*shall ordain*." It is not the Conference but the constitution which directs how the Episcopal power of ordination is to be exercised by Presbyters, in a case of extreme necessity. The constitution is careful to show that *no* Episcopal power (instead of all, according to Bishop Hamline,) belongs to the General Conference. When our first Bishops say they are at the "mercy" of the General Conference, and also the "little Conference" or committee of nine for the trial of Bishops, they do not mean, as we have proved by their own declarations, that no *law* is interposed between them and the General Conference, but that the Conference, as the tribunal to try them, could *keep* or *break* the law by a *just* or *unjust* application of it, and hence *judicially*, they were fully in the power of the Conference. The old General Conference, however, had a vague claim to power in this respect, which the present delegated General Conference does not possess, the amendment to the constitution in 1808, expressly restricting it. The General Conference has no power over a Bishop on the ground of *prerogative*, not a particle. The power they have by the Constitution we do not object to; it is asserted in the Protest and admitted by the whole South. Take the sum of Episcopal powers:—the right to preside in the General and Annual Conferences; to fix and control the appointment of all the Traveling Preachers; the exclusive right to ordain; the power of the general executive administration, in the intervals of the Conferences especially; to travel at large and superintend the spiritual and temporal interests of the Church, throughout the entire connection, together with the incidental rights and powers necessary to accomplish these objects. These are all protected by the constitution, and without its violation the General Conference cannot reach them, so as to "change, alter or destroy." The only power re-

cognized by Bishop Hedding, in the positions quoted from him on this subject, which can possibly affect our reasoning, is in the *body of Traveling Elders*, and cannot be brought to bear upon the constitutional claims of Episcopacy, except as before shown in this argument. The inferences from Bishop Hedding, confounds the body of Traveling Elders with the General Conference, as a representative council of the Church. The constitution keeps them separate. If it be said this council represents the Elders in question, it is sufficient to notice in reply, that it equally represents the Deacons, and is no more a delegation from the Elders than from the Deacons, so that the one cannot be substituted for the other in argument, without a misstatement of facts, as well as logical confusion. The inference of power here, from the premises assumed, is further invalidated from the fact, that the power claimed never did belong to either the body of Traveling Elders or the General Conference, and could not therefore be *ceded* or *invested* by either. After the institution of Episcopacy and its full investment with all its present rights and powers, that can in any way be deemed essential, it was conventionally agreed to deposite the right to elect Bishops, and the judicial power to try them in case of delinquency, with the General Conference, and this is the only controlling power the General Conference has in the premises. The facts of history indeed, compel us to go farther than this; it is not only true that our Episcopacy did not *originate* with the Eldership, but it is equally true, as just seen, that it is *perpetuated* by them to a very limited extent only, for 1st. The General Conference is the Representative Body of the *Deacons* as well as Elders, and 2d. Its power to *perpetuate* is but auxiliary, being confined to mere election, which invests *no right* of any kind in the person elected, beyond saying he *may* be invested with right and power by those having authority to make the investment, after election by the General Conference. Thus showing, that in every representative sense the Deacons divide the power assumed, with the Elders, and that in both, and after all, it is merely adjunctive to a more substantive power, which the constitution has bounded as a separate sphere of action. The protest in assuming Episcopacy to be a co-ordinate branch of the government, intended to convey the idea usually conveyed by such phrase, that it is an independant department, a separate sphere of executive power and action, standing in the same relation to the constitution that the General Conference does, that is to say, as the Episcopacy cannot constitutionally invade in any way, the rights and powers of the General Conference, so the General Conference has no constitutional right to touch, in any form, the vested rights of the Episcopacy. The co-ordination we assume, is not to be judged of by any estimated *equality* of powers, when the different departments are simply compared with each other, but *in so far* as they are *independent of each other*, in their relation to the constitution. This is the view of the Protest, and we show it to be the doctrine of the Church. The very language of the constitution avows it in the 3d restrictive article. When Bishop Hedding speaks of the body of Traveling Elders having power to "reduce, limit, or transfer to other hands" Episcopal power, he is not speaking of General Conference power, but merely of the constitutional right of the Annual Conferences to *change* the form of government, and do away Episcopacy entirely. This however, is *Annual* not General Conference power, and beside, it no more belongs to Elders than to *Deacons*, as we have seen. We ask attention to this fact as materially affecting the adverse argument. All the authorities urged by the Reply to the Protest, except the misconceived opinion of Bishop Hedding, are *inapplicable* and *out of place*, because based upon the old order of things, before the powers of the General Conference were restricted in 1808.

Powers before conceded, not constitutionally, or in any accredited form, but apparently by common general consent, were in 1808, expressly *denied* to the General Conference by a constitutional limitation of the powers and rights of that body. On this account, much that is said by Coke and Asbury, in their Notes on the subject of General Conference power over the Episcopacy, is now *entirely inadmissible* as an exposition of law, and it is the shecrest "sophistry" to appeal to it as such. The same is true as to the opinions of Asbury and McKendree, in 1806, as quoted by the Rev. J. Young, and similar quotations made since in the Northern papers, from Dickins and Watters. These concessions all date back to an order of things not in existence since 1808, and can, therefore, have no weight whatever against the force of our general position on this subject. All the power now found in the General Conference over the Episcopacy, amounts to nothing more than that Bishops are legally and strictly responsible for their conduct as Ministers and Bishops, and that it is competent for the Conference to lay them aside, by judicial process, whenever they shall be found guilty of misconduct either as men or officers, which obviously requires it. This power the Conference ought to have, and it is enough to control the Episcopacy and prevent the introduction of any serious evils into that department. We are unyieldingly opposed to any power in the Episcopacy by which the Church can be oppressed, but we are not less opposed to any such power in the General Conference or else where. To prevent such a result is our only object, and we essay to do it not by proposing any thing new, but by showing that what our positions desiderate, is already found in the government. We do not claim as much power for the Episcopacy as belongs to the General Conference. We are content that the Episcopacy shall have incomparably less power. Let that body, as the legislature and high Court of Appeals, be "supreme" in the parlance of the Church. All this may be so and yet our reasoning be correct. The co-ordination of the Protest, so far from meaning the alledged "supremacy" of the Reply does not denote even an approach to *equality* of power, and in jurisprudence is never used for such purpose. It means simply, existing *independently of other departments* by the *organic laws* of the government. In the same way *geographical* departments may, and often do, in Church and State, exist under the same organic laws, and in this sense the Kentucky Conference applies the term "co-ordinate," to the proposed Southern organization, and *law* and *public opinion* will sustain the construction. Such an organization, should it take place, will not be claimed to be *the* Methodist Episcopal Church, as before stated, to the exclusion of the Northern division, but authorized *by that Church* to exist under *all its organic laws* without the exception or change of any one of them, it will be to all the intents and purposes of Church unity, a "co-ordinate" division of the collection of Ministers and people in the United States, known as the Methodist Episcopal Church. This Church has no corporate or other unity except what arises from having the same *creed*, *liturgy*, *laws*, and *moral discipline*, and as none of these are affected by the division proposed, the real unity of the Church cannot be affected by the contemplated change. The unity contended for by those who, renouncing the authority of the Church, have thrust themselves into the place of the General Conference, and are attempting to dogmatize the Church into submission, is without meaning or application, beyond the mystic charm of a mere name. Upon the principles of reasoning they adopt, there can be no union between them and the British, Irish, and Canadian connexions of Methodists, for these, with the same faith, liturgy, moral laws, and Discipline, are not *the Methodist Episcopal Church*, and must, therefore, be *aliens*, by the logic brought to bear upon the South. If the union so lustily fought for, without being defined or made intelligible, be *moral* and *spiritual*, the mere name is nothing, but applies to all christians of what-

ever name. If it be the union of a multitude with the same faith, the same rites and ceremonies, claiming to be subject to the same organic laws and moral regulations as to life and conduct, then all the denunciations against the South, as "seceders and schismatics," must be traced to something less sacred than *truth* and *principle*, for these can lend no support to the injustice and outrage under which we are suffering, without even being charged with offense against any law of the Church, and for only proposing to do, what the highest authority of the Church has declared *all who choose* may do "WITHOUT BLAME!" Were we offenders equally with the North; had we violated the *constitution and laws* of the Church; had we dishonored its *official pledges* and trifled with its most *sacred stipulations;* had we assailed the *constitutional tenures* of office, and claimed the right of *taking back* what we never *bestowed* and never *had it in our power to bestow;* it might be different with us; we might feel, *not as now;* as it is, we know ourselves to be greatly wronged and deeply injured, and cannot respect as we wish to, either the motives or the means embarked in the effort to degrade and destroy us. But to return. It may be urged, that our view of the theory of Methodist Church government, will bring the Episcopacy or Executive Department in conflict with the General Conference. In our judgment, however, it is the only mode of avoiding it, and we are perfectly satisfied that upon the plan we oppose the two cannot co-exist in effective action. We regard it as entirely important that the General Conference should have all the power now properly belonging to it. We would not deprive it of a particle of its present power or right. What we except to, is the late exorbitant claim of power, (as by Bishop Hamline,) never before asserted in behalf of it, at least since 1808. The General Conference must possess the necessary power to hold in salutary check any tendency of the Episcopacy to assume or usurp what does not by right of law belong to it, and such power it certainly has at present, and we think in just and adequate degree. And to accomplish the same purposes of good to the Church, it is equally necessary that in the constitutional distribution of power, the Episcopacy should not depend upon *the will* of the General Conference for *right* and *prerogative*. Hence the constitution places these beyond the control of the General Conference. We have shown with perhaps sufficient force and clearness, that the General Conference right of *election*, has no connection with the rights and powers of Episcopacy. These were pre-settled in the constitution, long before the existence of a General Conference or the election of a Bishop in any proper sense, for the informal election of Asbury in 1784, was perfectly null as to any *right* of election, there being neither Elders nor Deacons in the body, except the Wesleyan "assistants" of Coke and Asbury, and a merely lay election could certainly confer no *clerical* or *ecclesiastical* right. It was entirely proper to consult the wishes of that body of good and sensible men, but they had just admitted to Mr. Wesley, they had no right to elect any man to clerical orders of any kind. Nothing is clearer than that Bishops are elected by the General Conference without deriving any power or privilege from it. The General Conference gives nothing constituently connected with the office, and can take nothing away, except judicially. Regulations relating to the ways and means of Episcopal administration, not affecting the rights of office, are made by the General Conference, with full and perfect powers, and these *reduce* or *increase* Episcopal power *in fact*, according to their nature and character, but our argument turns entirely upon things vital to Episcopacy, as a fundamental power. The Northern argument against the claims of Episcopacy, as set forth from the fathers and founders of the Church in this sketch, which we are compelled to collect from different sources and collate as best we can, is so entirely miscellaneous in character and Protean in shape, we find it difficult to give suitable form and consistency to any exami-

nation of it. The critical reader will find himself a little dissorted in this respect occasionally, but when he recollects that we are only pledged to general outline views, he will perhaps, after discounting such real or seeming irregularity, meet with sufficient point and concentration in the argument, as a whole, to enable him to judge of the true merits of the question at issue.

Is it possible for any person of intelligence and candor to examine the questions in controversy respecting Methodist Episcopacy, without being struck with the contrast between the new Episcopal theory and the old, as we have found it in the staple productions of the Church? In the common convictions and standard writings of the Church for sixty years, Episcopacy has been a distinct and well defined organism, so constitutionally interwoven with the government, as to give name and character to the Church. According to the new theory, it is a mere "ministerial executive regulation" of the General Conference, which they can dispense with or continue at pleasure. With "the fathers," it is the great primary principle of Church order, expanded into an actual department of the government, so connected with the other departments as to secure energy and harmony of co-operation, and yet so independent of them in the fulfilment of its high trust, that except for crime or mal official conduct in the incumbents, it cannot be changed from *what it is*, unless by a change of the constitution. The recent re-construction of the old theory teaches, that the General Conference may find it necessary either to discontinue the "regulation" of having general superintendents, or may so regulate the fact and plan of Episcopal oversight, as to have the supervision of *whatever kind* the Conference may prefer. It used to be thought, that Episcopacy was the most original elementary agency in the organic formation of the Church. The late discovery is, that the General Conference originated both Episcopacy and Episcopal authority. The old doctrine was, that Episcopacy pre-existed and united with the Annual Conferences, in giving birth to the General Conference, and finally that these as the *superior authority*, by imposing proper restrictions upon it, provided amply for the security of the parties creating it, as one of the principal organs of Church action. This error is now corrected, by its being ascertained that the General Conference is a self constituted body, limited in right and power only by "self imposed" restraint. The former doctrine was, that in every original sense, Episcopacy was derived from Wesley—that ordination by Wesley gave birth to it, and that election by the lay Conference of 1784, was not even an incident in its institution, but a mere "receiving" of what Wesley had provided for his societies in America. The contrary of this is now assumed with imposing boldness, and it is contended that Episcopacy is of conventional *Conference* origin. Former opinion admitted the conventional character of the Conference of 1784, but was careful to discriminate, that in whatever *other* aspects it was conventional, it had *no agency* in the institution of Episcopacy. Now, however, it was a principal agency, for without this assumption, the subsequent agency of *election* would lose the virtue claimed for it. It was prevalently understood formerly, that as the General Conference was the last organic department erected in the construction of the present government of the Church, it could have had no participation in *producing* the others and none of their powers except by transfer. Now the claim is, it possesses all the power of both, because the old departments conceded to the new, upon its establishment, that it might elect and try Bishops for "improper conduct," and say when a new Annual Conference shall be created, although without any right or power to *make* a Bishop or *organize* an Annual Conference. The Episcopacy being in the full vigor of maturity, before the projection of the General Conference system, it did not occur to the founders and authors of the economy of American Methodism, that the latter would

claim paternity and jurisdiction in relation to every thing connected with the former. That this is now done, however, few will attempt to deny. We used to think, as a Church, that in Episcopacy was to be sought the constitutional headship of the government. How far below this it is now attempted to reduce it, may be judged of by the mass of evidence we submit. The Church was of opinion that from 1792 to 1808, the General Conference had too much power, and that it was necessary to restrict it by constitutional prohibitions. Now the latter claims more power than it was supposed to possess before the *reduction* of its powers, when consisting of "all the Preachers in full connection"—that is, all the Deacons and Elders in the Traveling Ministry. As parties to the constitution, the old doctrine was that each department is rigidly *subject* to the regulations of law. Now it seems to be thought, that the legislative department cannot act unlawfully, as it can in "two minutes," supply itself with law in any emergency. The very existence of the restrictive rules, proves clearly, that the former doctrine was, that should the General Conference obviously violate the constitution, it is the right and the duty of the Episcopacy and Annual Conferences, to interpose and resist. It is now the doctrine, however, that the General Conference is the only judge of the constitutionality of its own acts. The old theory, which impresses itself upon the very face of the constitution, laws, and administration of the Church, that the executive power of the government belongs essentially to the Episcopacy and Annual Conferences, is superceded by the assumption of general executive power in behalf of the General Conference. Our fathers, as we have shown, knew no better than that the Episcopacy and Annual Conferences derived their rights and powers from the constitution, and had all they now possess, substantially, beside much they have parted with by concession, before they thought of creating a General Conference. Their sons, it seems, are to be better taught, and all right and power of whatever kind, is to be credited to the General Conference. The whole Church has always regarded Annual Conferences as independent organic bodies, subject only to General Conference control *as law directs*. The new theory annihilates this independence entirely, by assuming that the absolute right of control in relation to these bodies, is in the General Conference, and that they exist only by its permission. Instead of which, nothing is plainer, than that the General Conference is by direct provision of the constitution, under the control of the Annual Conferences, in the last resort, and it will be seen by every one how intimately Episcopal oversight and its executive rights and powers, are interwoven with the Annual Conference system. Thus presenting the checks and balances to which we have adverted. Until recently, it seemed to be well understood, that as the Church, or rather the Episcopacy and Annual Conferences, were of mature age and possessed the whole official authority of the Church, before they organized the General Conference, and as they conceded none of their fundamental powers to that body, the General Conference could have no claim to disturb them in the functional exercise of their powers and rights. In this, however, modern enlightenment shows them to have been mistaken. It has always been well understood, that limited legislative and judicial power, as well as some of the powers of general administration, had been invested in the General Conference by the organic regulations giving it existence. It has always been admitted too, that in matters not vitally affecting the independant functions of the Episcopacy and Annual Conferences, that is, in things incidental and modal in relation to legislative, judicial, and administrative rights, as invested by law, it is competent for the General Conference to give and take away, and it has occasionally done both. But this view of the subject differs materially from the one which allows the Conference to regard its own will, at any time, as the only law of action in the case. The Church, for more than

half a century, has published to the world, that its Episcopacy was derived from Wesley—that his rights and powers of ordination and superintendence were transferred to Coke and Asbury, Bishops of his own selection and constitution, he having consecrated the former and commissioned him to consecrate the latter, without any the most remote allusion to any organic action by the American Preachers, in the institution of Episcopacy. The Church having likewise published to all during this whole period, that the only act of the lay Preachers of the day, was to "receive" the Bishops of Wesley's appointment, as the superintendents of the new Church; thus proclaiming the institution of Episcopacy to be the first creative act of the new organization. In view of these facts, it must strike all as strange and unaccountable, how Episcopacy has become a *derivative* power in relation to the General Conference. Would Dr. Coke have presumed or dared to ordain Mr. Asbury upon his election by the lay Preachers of 1784, without authority from Wesley? Would Asbury have presumed or dared to accept ordination upon such a basis? The answer is negative in both cases. All know that neither would have presumed so to act. And yet the now popular argument for General Conference right, respecting Episcopacy, relies mainly upon this election for its support. Failing to prove this election valid, as inevitably they must, it is irresistably certain that the General Conference has no claim of superiority over Episcopacy on the ground of what is so often called "election by the Presbyters." And as Episcopacy existed in full and effective force, valid and ample as now, without deriving a particle of right or power from the "College of Presbyters" as Coke and Asbury say of the Eldership, after *they had created* it, under authority from Wesley, it shows most conclusively that General Conference election can confer nothing in any way essential to the Episcopal office. The ordination service (itself a part of the constitution) is evidence of the plainest kind, that no Episcopal right is conferred by by mere election. The ordination certificate attests the same fact. The design of election, which is both proper and important, is confined to the *suitableness* and *qualifications* of the incumbent. We have shown that it is in no sense an *investiture*. It merely authorizes his elevation to the Episcopate by ordination. Both the power and form of ordination pre-date and are independent of our *present* Presbyterial election, and beyond General Conference control. Against this, it proves nothing to say, no Bishop can be made without the consent of the General Conference. This is admitted, and we are as ready as our opponents to admit the fitness and importance of the arrangement. It secures the important result that Bishops are not allowed to select their associates, and that none can be ordained except approved by a majority (we wish it were a two-thirds majority) of the General Conference. Still it proves nothing against our argument for reasons before given. Suppose we say the General Conference and Episcopacy together, cannot make a man a Bishop without *his* consent? Does this make the will of the man in any way constitutive of the office? Test the matter in another form; ceasing to ordain, would not our constitutional Episcopacy perish, despite a thousand elections? We have seen the Episcopacy and General Conference existing in constitutional connection, as independent departments, except so far as this independence is qualified by the terms of union. They exist and act together, the one the Head the other the Body. Each has separate duties with which the other may not interfere, so that essentially they are co-ordinate branches of the government, although essentially, they exist and operate in a state of mutual inter-dependence, as do all co-ordinate branches of the government. Each constitutes a distinct organism, and has a separate anatomy, a system of its own.

The power of each is derived from the constitution, the nature of the general system. The distribution of power is regulated by organic law. If the Bishops offend, there is the law to correct and punish them. The General Conference cannot, with all its latitude of power and right in other respects, exceed the restrictions imposed upon it, by the departments which gave it being, without a *breach of trust* as well as *violation of right*, and the remedy must be found in the counteractive forces of the system. The Episcopacy has powers not derived from the General or Annual Conferences. The General Conference has nothing but what it derived from the Annual Conferences and Episcopacy. This is not introduced to prove Episcopacy above the General Conference, (no part of our reasoning implies this) but merely to show that the General Conference is not every thing, and possessed of all power, as lately claimed by the opponents in this argument. Were the Episcopacy and Annual Conferences acting together, disposed to usurp power, as we believe the General Conference has lately done, the latter with its entire power, might be overthrown in a short time. By direction of the power creating it, and without the permission of the Annual Conferences and Episcopacy, it can only meet once in four years. It cannot call itself together or meet at will, and should the executive department, embracing the Episcopacy and Annual Conferences, refuse to execute its wishes, the government would be at an end; and this further proves the inter-dependence of the departments, and that the supremacy of the General Conference, to the extent contended for, is a mere fiction, and always must remain one, under the present constitution. We prove that the Episcopacy is strictly and properly a co-ordinate branch of the government, by showing that all the other branches, much less the General Conference alone, have no right or power to do it away, except by a change of the constitution. Each department, although connexional as to the rest, is separate and independent, that is, protected against the invasions of the other branches by the constitution. The whole of section 4th, in the Discipline, is strictly *organic law* and has all the force of any part of the constitution, or else the General Conference has *no power* with regard to Episcopacy of any kind, except as *usurped* by gratuitous interference. The grant of power to "make rules and regulations" *for the Church*, excepts in every thing important, both Episcopacy and its plan of oversight. For this there existed the plainest and most irresistible reason. Not only had the General Conference done nothing toward the institution of Episcopacy, but even the Church had not. Its existence dates back before the birth of either. It was the first grand substantive arrangement, around which all others subsequently clustered and assumed organic form. The whole machinery of Church administration received life and motion from it. The primary action and continued impulse of the whole system are traceable to it, and as the government has always been organized, would become defunct without it. We are compelled to think the view of the subject we propose is the only one which can possibly relieve the Church from the charge of having a most illiberal and tyrannical government, so far as its theory is concerned, whatever may be the character of its practical administration. We present, in our attempt to exhibit the government as we find it, a nearly equal distribution of its powers between the Episcopacy, Annual Conferences, and the General Conference, the General Pastorate being essentially adjunctive to the two former, although for convenience, and in view of some purposes and functions peculiar to it, generally recognized as a separate department. And among many other inferences of the utmost importance, we thus reach the principal one had in view in the course of our reasoning, that a Bishop of the Methodist Episcopal Church is not in the power of the General Conference, except in its judicial capacity as a court of trial, proceeding against him

upon a charge of improper conduct, and this for the general comprehensive reason, that the *jus proprietatis* as it regards the *chief constitutional officer* of the Church, is not in the General Conference, but in the several departments of the government equally, by direction of the organic laws of the entire system. See an able and interesting argument on this subject, by the Rev. Dr. Latta, which has *yet to be answered*. We know it will be said that such a general view of the subject as we have taken, amounts to "Prelacy, Popery, Puseyism," and so of the rest. With this we have nothing to do. The charge recoils from us upon the Fathers and Founders, the Apostles and Pillars, the Defenders and Advocates of the Church, as a true Episcopal Church, unless it can be made appear that we misrepresent them. We show, we believe conclusively, that we simply adhere to constitution and law, the principles and opinions of the Church since the first day of its organization. If the system be wrong, be it so; the arguments remain unaffected. Our only task has been to show *what the system is*, and before we are abused as aiming at the projection of an Episcopal "supremacy," let our arguments *be answered*, as we have attempted to give them, in the language of reason and sobriety, and for the purposes of rational conviction. No amount of declamation and assertion, unsupported by argument and evidence, no tempest of personal abuse, no attempt at sneer and banter, can move or affect us. We must be overthown on the ground of argument, or remain unvanquished. This is no boast. We mean simply, that on the subjects upon which we have written, we have offered an extended series of arguments which strike us as satisfactory and conclusive, and before any man or number of men can obtain any advantage of us, it must be shown demonstratively, that the reasons and arguments in question, *ought not to have impressed us as they have*.

Left to the undisturbed current of my own thoughts and feelings, I should not have taken it for granted that this Review was destined to attract, in any unusual way, the attention of those arrayed against me, in the conflict to which it relates, but already assaulted *in advance* with *Vandal injustice and want of truth*, I have been led to suppose, from a pre-judgment so every way gratuitous and illiberal, that the unmanly malevolence that could not wait to know whether it was uttering truth or falsehood, might probably give me a notoriety upon which I should otherwise not have calculated. I shall await and note results with care and patience, until it may become necessary to attend to them.

A few items, more or less personal to myself, and yet intimately connected with some of the bearings of this discussion, and I have done. I wish to say first and distinctly, I have not written, dictated, or suggested a single line on the merits of the controversy, or any particular part of it, or in relation to any person or persons connected with it, to which I have not attached my name. The various charges, therefore, suggestions and insinuations, which have appeared in Northern papers, intended to implicate me in this respect, are at least as utterly unjust as the fact that they are *false* can make them. From what motives I have been thus assailed, without having by any act, or any part of my conduct, furnished any reason or course, or semblance of either, for the assaults made upon me, it will not perhaps, be difficult to determine. The men in the principal instances, are a sufficient comment upon the motives, and accordingly I have received numerous communications from Northern as well as Southern sources, assuring me these attacks are well understood and properly appreciated, as having their origin in personal malignity and party purposes.

I first heard of Bishop Andrew's connection with slavery and the appeal of Harding, in Baltimore, on my way to General Conference, in April last. I did not take

my seat in that body until the sixth day of the session. By this time the parties North and South were pretty well defined. The two or three first meetings of the Southern Delegations after my arrival, I did not attend. I was anxious to learn the true position and purposes of the parties. I was soon induced to believe, not only that the cases of Harding and Bishop Andrew would bring on a conflict between the North and South, but that new ground would be taken by the North, on the main question, whenever *these cases* became the occasion of discussion and action. I early sought to learn the opinions and views of men, likely to exert no little influence with what had usually been known as the "conservative" party, and was surprised to learn, that they were decided and active in the approval and furtherance of a course, which I was satisfied the South could not submit to. Circumstances compelled me to believe, that the old compromise ground of the Church, on the subject of slavery, had been or was about to be abandoned. A large number of Conferences, and thousands of individual petitioners North, had addressed the General Conference, remonstrating in effect, *against the provisions*, and demanding changes *infringing the purposes of law*. Under these circumstances and such an aspect of things, I met the Southern Delegates, and availed myself of an opportunity to say to them, in substance, that I had come to the painful conclusion that it was the settled purpose and policy of the old Anti-Slavery Conservative party, to take ground with the Abolitionists against the South, by declining any longer to assert and maintain the compromise law of slavery, as generally understood by the South, and especially as explained by the preceding General Conference. That so far as I had been able to understand them, they were *off the compromise* of the Discipline, and likely to form new associations, injurious if not fatal to Southern Methodism. That it would be necessary for the South to be watchful and firm as a Minority, or they would find themselves in a position fearfully detrimental to the interests of the Church in all the Southern Conferences. I then stated, that in view of the petitions before the Conference, a large portion of which were new and peculiar in their character, and other evidence not less convincing, to which my attention had been directed, it was my opinion that a plan existed, more or less matured, the object of which was *the subversion of the slavery compromise*, and the effect of which would be, if carried out, to reduce the South to the necessity of adopting one of three courses. 1st. They must submit to the outrage regardless of Southern rights and interests; or 2d, appealing to the only constitutional means in their power, assert those rights and interests by remaining firmly upon the basis of the Discipline, and claiming the protection of law; or 3d, must go or be forced off as a secession, without any interest in the Book Concern or other funds or property of the Church. After these remarks, I requested to know of all present, publicly and explicitly, whether it was their purpose to abide by the Discipline as it was on the subject of slavery, and all without a single dissentient having so pledged themselves, I assured them I should be most glad to find myself mistaken as to the fears and conviction I had expressed, in reference to the plan or purpose to which I had alluded.

I carefully avoided any allusion which might in any way implicate members of the General Conference beyond the mere fact, that I was obliged to think many of them were pursuing a course directly calculated, whatever their motives and purposes might be, to bring about the result I feared. And in proof and illustration of this, having made the remark with regard to many, I stated that *one* who had been long looked to and regarded as especially the friend and champion of the South, had avowed opinions and urged a course of action in relation to both Harding and Bishop Andrew, which would further the objects of the plan or purpose I had brought to their notice, as effec-

tually as though he were the Cataline of the conspiracy. It was my intention to say distinctly, that I believed the purpose existed North to disturb and destroy the compromise of the Discipline, as discussed in these pages, and that the position of Dr. Bond, as reported to me in relation to the cases of Harding and Bishop Andrew, would contribute directly to the accomplishment of the object. I had heard from several *different sources*, that Dr. Bond had said that the action of the Baltimore Conference in Harding's case, must, and doubtless would be sustained by the General Conference; that Bishop Andrew had not kept faith, or had acted in bad faith in relation to those who had elected him; they selecting him because he was not a slaveholder, and he afterwards becoming one, and yet holding office; that he was a dishonored man or had acted dishonorably; that he must resign or be deposed, as nothing else would prevent Northern Conferences from secession, and meet the demands of Northern public opinion; that the General Conference had full power to depose or lay aside Bishop Andrew; and that it might be done by merely striking his name from the Minutes and Church Records; that for such a course, the Conference had precedent in the instances of Wesley and Coke, or at least one of them; and that this or something equivalent must be done, whether the South would submit to it or not. These statements, which I give in substance and meaning, and not perhaps in the precise language and form in which they were uttered, were reported by different persons as coming from Dr. Bond, and induced me and many others to believe, that his intended course would as directly and effectually tend to overthrow the compromise of the law of slavery, as the purpose or plan believed to exist in the North. The recent public declaration, that I stated a plan existed among Northern members of the General Conference, approved and encouraged by Dr. Bond, to drive off the South as a secession, with a view to deprive them of their equitable interest in the Book Concern and other Church property, is as false as any statement can be, because utterly devoid of truth. My reasoning upon the facts stated, and in relation to the choice of evils we should probably be called to make, did, as a matter of course, call attention to the loss of Church property, as consequent upon secession, should we be driven to it, and I accordingly invoked the South on this, as well as other accounts, not to allow themselves to be provoked to such a step. I urged it as my belief, that the law of slavery had been conspired against, and should it turn out, that I had anticipated events, and understood movements correctly, nothing would be left the Minority of the South, but unconditional submission, constitutional resistance by solemn Protest, and appeal to the conservative powers of the Church, or finally, voluntary or forced secession with forfeiture of rights as before. All this I did without disguise, and still believe I was correct. The whole current of events since the hour I made the statement, goes to show that I did not greatly, if at all, miscalculate. Individuals and parties have acted and continue to act, as I anticipated. The plan or purpose to which I invoked the reluctant attention of the South, has been ever since in course of development, and the somewhat indirect but essentially auxiliary influences, to which I made allusion, are visibly increasing with the progress of this great Church difficulty. My only object in alluding to Dr. Bond as I did, was to make the impression, that whatever might have been the hopes of the South, connected with him and other leaders of the so called conservative party, that ground of safety, was, in my opinion, to be relied upon no longer. To understand my true position, in reference to the subject matter of this explanation, it is necessary to enquire, 1st. was I mistaken with regard to the facts upon which I predicated my opinion? 2d, was that opinion a fair and natural inference from the facts? Beside, the mass of evidence in various forms furnished in this Review, making it entirely certain that a purpose did exist in the North, no longer to

submit to the law of compromise, as explained at length by the General Conference of 1840, the full and proper proof is found in the uniform language of the petitions, "that the General Conference would *take measures entirely to separate slavery* from the *Church*," not the Episcopacy, not the Traveling Ministry only, but the *whole Church*. On presenting these innumerable petitions from nine Conferences and some ten thousand persons, the Northern Delegates stated, without any attempt at concealment, and with almost stereotyped uniformity, not only that the petitioners (generally) were well known to them, were respectable, and as intelligent and pious as any in other portions of the Church, but always and *especially* that they petitioned from *principle* and *conviction*, that it was matter of *conscience* and of settled purpose that they did so, and finally, that they would "never rest until they obtained what they prayed for." The same purpose has been avowed and published unequivocally and repeatedly in Zion's Herald and other papers, by large and influential portions of the Church, Ministers and people, including delegates of the last General Conference. The fact of the purpose charged in my statement, has in every thing material, been communicated to Dr. Bond, and published by him for the information of the Church and world. So far then as this item is concerned, who can doubt as to the facts? But did Dr. Bond avow the opinions and make the statements attributed to him? That he did I have never doubted. They were heard and reported not by a single individual only, but by different persons. The most, if not all of them, have been since assumed and asserted, admitted or implied, in the editorials of his paper. The entire course and temper of Dr. Bond, have been in keeping with them, and the internal evidence in the case, as well as that of witnesses, endorses the correctness of our original information. Let the impartial reader now take the plan or purpose, which we prove existed North, not to abide by the slavery compromise as understood by the South and affirmed by the General Conference, and take also the position of Dr. Bond as Editor, and the former friend and advocate of the South, and how would the opinions avowed by him be likely to affect the purpose in question? Would or would not the opinions and views ascribed to Dr. Bond, and known to be concurred in to a great extent, by the Conservative party generally, be directly calculated to further the Northern purpose we have noticed, to destroy the good old *via media* of the Church, on the subject of slavery? Was not the inference that they *would*, both natural and necessary? If not, we are at fault. But if they were, then we cannot be blamed, for all will admit that the interests involved rendered it necessary that Southern attention should be called to the subject immediately. When Dr. Bond saw proper to contradict a report, which he said was in circulation as coming from him, and the substance of which was that a plan had been formed by Northern members of the General Conference, to force the South into secession, &c. Dr. Smith, supposing he might allude to my remarks or statements to the Southern Delegations, as just detailed, replied, in substance, without consulting me, that the statement made by Dr. Bond had not been made to the Southern Delegates; that the two statements were essentially variant, and that it was necessary to disabuse the Conference of a wrong impression, by informing them of the true issue, affirming that "it had been stated over and over again, in terms that led to the conviction, that it was the purpose of many in the Conference to pursue measures, which must necessarily *result in a division*, and that in declaring their adhesion to these measures, they had used language which justly entitled them to a disclaimer. That course they had adopted with Bishop Andrew, and it was of *this* he and his Southern friends justly complained." This challenge, which implicated members of the General Conference beyond any statement of mine, was not met by any one. Dr. Bond said that with this position he had

nothing to do ; that is, with *my* position, fairly stated by Dr. Smith, at a time and under circumstances when the evidence in the case could have been had in a few minutes, Dr. Bond had nothing to do. Dr. Smith not only charged before the General Conference all that I had before the Southern Delegates, but went further, implicating members of the body, from all allusion to whom I had carefully abstained. Why was not the issue of Dr. Smith upon my statement met? The fact that the statement of Dr. Smith was not challenged, was, under the circumstances, a public admission of its truth. Was Dr. Bond under no obligation to attend to Dr. Smith's statement, which in fact was mine, because not in accordance with his? If not, any more could I be considered as under obligation to attend to Dr. Bond's, knowing, as I did, that I had never made any statement of the kind, and especially as Dr. Bond had not charged it upon me? Not entirely satisfied, however, with this mode of settlement, I immediately called on Dr. Bangs and Rev. Mr. Schon, both of whom had addressed the Conference on the subject, and enquired of them, whether they had any allusion to me in their remarks, and also whether they understood Dr. Bond to have? They both promptly and explicitly assured me they had none, and that so far as they knew or believed, Dr. Bond had none. I then went to the Rev. Jno. A. Collins, the friend and guest of Dr. Bond, and enquired of him to the same effect, with respect to Dr. Bond, when with equal explicitness he assured me he did not believe he had. I then supposed it unnecessary to pay any further attention to the subject, and thought no more of it, until from motives and for purposes about which I am not disposed to speculate, it re-appeared in the columns of Dr. Bond's paper, with additional features of distortion and misrepresentation.

It was my purpose to publish *early* on this subject, after the General Conference. But numerous friends, North and South, requested me to forbear, in the hope that some action might be had by the Northern Conferences, meeting in rapid succession, which might tend to allay excitement and prepare the way for an adjustment of difficulties. I therefore determined to remain silent until after the Kentucky Conference. A serious indisposition from the 15th of September until the 1st of December, rendered me incapable of the labor of preparing for publication. Meanwhile, the subject in controversy began to assume new and more eventful aspects, in the Northern division of the Church, and I did not wish to meet the *actual party position* of the North, until it was fully and fairly taken, in action as well as argument. While, therefore, there was a prospect of additional light on the subject, I was unwilling to deprive myself of the advantage of it, by premature publication. These reasons have been satisfactory to myself, and as no one else has any rights in the premises, I may, of course, expect them to be to others.

I promised to perform the task "at my earliest leisure," and I beg to assure all concerned, that on the basis of *that* promise, I could, for *want* of "leisure," have postponed the publication to a much later period.

Bascom, H. B
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